

FIRM RESUME

Mission

Our mission is to render exceptionally high quality legal services, within the strictest ethical boundaries of the legal profession, to clients in the areas of domestic and international estate planning, probate, and tax law.

Clients

The core clientele of the firm is high net worth individuals. Many of the firm's domestic estate planning clients reside in Texas, although the majority of the firm's international estate planning clients reside outside of Texas, throughout the United States, and abroad. The firm also advises certain financial service providers on matters related to U.S. tax, asset protection, life insurance, and estate planning issues, as well as counsels various charitable organizations, both public and private, on a wide variety of matters.

Attorneys

The firm was founded in 2000 by a group of four attorneys who had practiced together for many years at another estate planning firm. The firm currently consists of twelve attorneys, each possessing the highest academic credentials and ability to render client service consistent with the firm's standards of excellence. The firm's attorneys actively participate in the development of their practice areas as writers and speakers; they also are regularly asked to consult with major financial institutions on matters related to their areas of expertise.

Directors

The firm also employs non-lawyer directors who have extensive industry experience in the firm's insurance and tax practices. The firm's directors have held senior, executive level positions outside the legal profession in the areas of insurance and tax, which allows them to add a dimension to the firm's client service offering which enhances traditional legal representation in a unique and substantial manner.

Qualifications

The firm is AV rated in all of its practice areas. In addition, all of the firm's lawyers who are eligible are board certified by the Texas Board of Legal Specialization in their practice areas. Giordani, Schurig, Beckett & Tackett, L.L.P. is listed in the Martindale Hubbell Bar Register of Preeminent Lawyers under Tax Law, Insurance Law, Trusts and Estates, Wills and Probate.

Practice Areas and Specialties

International Estate and Asset Protection Planning. Given the current economic, legal, and sociopolitical environment, GSBT believes that estate planning attorneys have a duty to advise all clients on the necessity of, and the techniques for achieving, asset protection. Thus, the attorneys at GSBT have extensive knowledge of, and practical experience implementing, the various techniques available to preserve individual wealth from threats such as divorce, litigation, future creditors, and investment risk. These techniques include the optimization of state and federal exemptions for assets, such as homestead, retirement plans, annuities and life insurance, marital property planning, the use of *inter vivos* marital, dynasty, and children's trusts, and tax and entity planning. In addition, GSBT is one of the leading firms in providing advice regarding wealth preservation and risk management through the implementation of foreign trust and related business, investment, and life insurance structures, and assisting clients with the tax planning and compliance aspects of such structures. The firm's four-volume treatise, *Asset Protection: Domestic and International Law and Tactics*, first published by Thomson/West Group in 1995 and updated quarterly, remains the foremost treatise in the area of asset protection. The attorneys at GSBT maintain strong relationships with fiduciaries, money managers, and attorneys in more than eleven foreign jurisdictions, and ensure the continued integrity of this area of the law by conforming to strict due diligence and "know your client" policies. GSBT attorneys are experienced in assisting

GIORDANI
SCHURIG
BECKETT
TACKETT
LLP

100 CONGRESS AVE.
SUITE 2200
AUSTIN, TX 78701

P. 512.370.2720
F. 512.370.2730

WWW.GSBTLAW.COM

U.S. clients with settling offshore trusts, and forming various foreign entities that provide clients with a comfortable balance of control and protection of assets, allowing clients to manage their family's wealth risk and accumulate assets for future generations.

Private Placement Life Insurance Planning and Insurance Dedicated Funds. GSBT professionals advise clients in the acquisition of very large offshore and domestic private placement life insurance policies. GSBT's unique expertise and experience in the rapidly growing private placement life insurance marketplace positions it to deliver the very highest level of service in this area. The firm recognizes that estate planning in the high net worth market is evolving beyond the traditional role of implementing planning strategies that reduce taxes at death to encompass the broader and more immediate issues of investment and income tax planning. GSBT's role in assisting its clients with the purchase of private placement variable life insurance is an investment-oriented strategy that can dramatically improve the tax efficiency of a client's investment portfolio. GSBT's position in the private placement life insurance arena has also resulted in the firm advising both non-legal providers of private placement life insurance services as well as the investment managers (primarily hedge fund managers) who seek to participate in this growing marketplace. Specifically, GSBT's insurance team regularly counsels hedge fund and hedge fund of fund managers in the establishment and operation of insurance dedicated funds (IDFs) and their relationships with insurance carriers.

Investment Portfolio Planning (Legal and Tax Matters). GSBT approaches the representation of wealthy individuals from a "big picture" perspective, and we believe that means becoming knowledgeable of and involved in the client's overall financial picture, the centerpiece of which is typically a multi-asset class investment portfolio. Whether the portfolio is a mature, well-diversified mix of investment types, a single-stock position situation, or a recently liquidated portfolio consisting of mostly cash, GSBT lawyers have the knowledge and experience to work side by side with the client's investment advisors to address portfolio-related challenges. Accordingly, we offer legal and tax representation in a very broad range of investment-oriented transactions, including portfolio tax-efficiency planning, such as private placement life insurance and deferred annuities, liquidity and diversification planning techniques for single stock positions (collars, prepaid variable forward contracts, etc.), complex asset acquisitions (hedge funds, funds of funds, leveraged bond funds, private equity funds or direct private equity or venture investments, etc.), and structural planning for non-US investments. GSBT lawyers have long-standing, senior executive-level relationships with a large and diverse group of US and non-US investment management firms (in both traditional and alternative investment areas), investment consultants, private banks, brokers, and custodians. Our commitment to maintaining and expanding such relationships has allowed us in many cases to leverage them in order to obtain preferential fee and capacity arrangements for GSBT's client base. Moreover, we demonstrate our dedication to understanding and participating in our clients' investment portfolio issues through professional alliances with the investment management community, such as Leslie Giordani's service as an appointed member of the Board of Advisors of IMCA (Investment Management Consultant's Association) and speaking engagements in investment-oriented educational forums, Elizabeth Schurig's tenure as a faculty member of IMCA's Wealth Management Certificate program, and Michael Ripp's speaking at the IIR "Alternative Investing through Life Insurance and Annuities" conference, at which Leslie Giordani and Bob Chesner serve as chairpersons and speakers.

Domestic Estate Planning. The design and implementation of estate and wealth-transfer plans is an essential component of the firm's practice. In addition to comprehensive wills and management trust vehicles crafted to meet client's goals regarding the testamentary disposition of property and minimize the exposure of assets to estate, gift, income, and generation-skipping transfer taxes at death, the attorneys at GSBT employ various tools, such as revocable and irrevocable trusts, life insurance trusts, grantor trusts, qualified personal residence trusts, generation-skipping trusts, and beneficiary designation planning for IRAs, qualified plans, and other employee benefit plans in order to maximize the value of assets that can be transferred to successive generations. An integrated estate plan also involves tax and entity planning and charitable planning, and in some

cases, offshore life insurance planning and international estate planning is appropriate. GSBT provides expertise in all of these areas.

GSBT also provides clients with the peace of mind that comes from proper disability planning. Because the average life span is longer, more of us can expect to spend some part of our lives unable to manage our own affairs. Therefore, no estate plan is complete without disability planning. The attorneys at GSBT regularly prepare financial and medical powers of attorney and other related documents that allow for the smooth and low-cost management of a client's affairs in the event of a disability.

Probate, Trust and Estate Administration. The firm's probate, trust and estate administration practice encompasses all aspects of administration of decedents' and fiduciary estates. The firm's probate practice involves submitting wills to the court for probate or assisting the decedent's family with alternative heirship proceedings when the decedent died without a will. Once the will is probated, or heirs are determined, GSBT attorneys assist the family with administrative matters such as gathering, inventorying, and valuing assets in the estate, and preparing federal estate tax returns, state death tax returns, and state and federal gift or generation-skipping transfer tax returns. For clients who have just lost a loved one, estate administration can be a daunting task. The attorneys at GSBT provide thoughtful, competent assistance in meeting court filing deadlines and federal tax filing deadlines, thereby making a difficult time much easier to endure. The firm's trust and estate administration practice involves advising fiduciaries on the legal and practical aspects of the administration of trusts, decedent's estates, and the estates of minors and incapacitated persons. GSBT attorneys also represent beneficiaries of estates in negotiating settlements of estates, protecting beneficiaries' rights with regard to monitoring costs of administration, and advising in contested matters.

Tax and Entity Planning. A complete understanding of tax and entity issues is essential to an effective estate planning practice, both international and domestic. The attorneys at GSBT understand the intricacies and nuances of state and federal income tax, estate and gift tax, state franchise tax, and the various charitable tax regimes, and work with clients to define their goals, and to design and implement creative strategies to achieve those goals, while at the same time working toward the optimum tax results. The attorneys at GSBT strive to use their understanding of tax issues to meet each client's individual needs within the context of all relevant taxing statutes. GSBT attorneys specialize in each facet of tax law, allowing the firm to address the tax implications that arise from each individual or business transaction.

The attorneys at GSBT are also experienced in both the federal and international tax aspects of using alternative structures for the ownership of business and investment property, as well as in the formation and taxation of pass-through entities, such as trusts and family limited partnerships. When helping a client choose the proper entity through which to conduct their business or hold investments, we tailor the entity to the client by considering such factors as (1) the client's personal preferences, (2) the level of control the client wishes to maintain over the business operation, (3) the degree of liability protection needed by the client, (4) the desired federal income tax treatment (e.g., separate corporate taxation, flow-through tax treatment, or disregarded entity treatment), (5) the preferred entity form based on the type of business or investment operations, and (6) the appropriate state law jurisdiction (e.g., Texas or Delaware). By taking into account each of these factors, GSBT can structure the entity form—whether it is a corporation, a limited partnership, an LLC, or an LLP—to fit each client's individual situation. After helping the client implement a business entity, we continue to educate and assist the client in the proper administration of the entity, and to facilitate business succession planning to ensure the longevity of the business.

A significant aspect of GSBT's tax practice involves the representation of clients with tax controversies pending before the Internal Revenue Service and state tax agencies. GSBT frequently deals with IRS examining agents and appeals officers in audits and administrative hearings. The firm's attorneys are intimately familiar with tax filing requirements, and are

experienced in the preparation, examination, and appeal of various federal and state tax and information returns.

Charitable Planning and Administration. Charitable planning can play an integral role in a client's overall estate plan. Whether a client is motivated by potential tax savings, or has purely philanthropic goals, GSBT attorneys utilize a number of tools to help clients make charitable gifts, such as charitable lead or remainder trusts, testamentary charitable trusts, private foundations, private operating foundations, supporting organizations, and dedicated funds at community foundations. GSBT attorneys not only help clients determine which tool will best meet a client's objectives, but they also assist the client with the documents and forms necessary to create and implement the new trust or non-profit corporation and, where necessary, prepare and file the required forms with the Internal Revenue Service and governing state to have the new entity recognized as being tax exempt.

GSBT attorneys also assist the firm's clients with the administration of existing and newly created structures. This includes assistance not only with the preparation and filing of applicable federal and state tax returns, but also with the annual or more periodic trust and corporate documentation necessary to maintain proper books and records under state and federal law. The firm's attorneys also assist clients with identifying and selecting permissible public charities to whom charitable grants might be made, as well as the paperwork required to properly select and document such grants. GSBT attorneys have also had extensive experience in assisting clients with their international charitable grants and giving to charities created outside of the United States.

Complex Structure Administration. Because GSBT approaches client representations in a holistic manner, we understand that the careful administration of complex legal structures is the next logical step following planning and implementation. Accordingly, the firm offers a comprehensive suite of services that assist clients and their other advisors in the administration of international estate planning, private placement life insurance, and business structures. Depending on the level of administrative support that GSBT clients receive from their family offices, accountants, or other legal advisors, GSBT's administrative services can be tailored to encompass virtually all administrative needs or they can be limited to only a few areas. The scope of administrative services includes tax reporting, reporting to local administrative bodies, liaison services with trustees, protectors, asset managers, and custodians, maintenance of corporate or partnership books and records, facilitating contributions to or withdrawals from structures, and general transactional assistance. GSBT has developed proprietary filing and record-keeping systems in all of the areas with respect to which the firm offers administrative support services, and such systems provide clients with ready access to historical data when it is required. In order to ensure optimal cost-effectiveness of these administrative services, the majority of the work is performed by non-lawyer professionals and GSBT charges for administrative services at a reduced hourly rate schedule as compared to its charges for planning and implementation projects.

Mediation. Mediation can play an essential role in successfully resolving disputes involving estates, probates, trusts, marital property, charitable organizations, and estate, gift, and generation-skipping transfer tax issues. When there is a conflict among family members, economic disparity among heirs, mentally or physically challenged children, divorce and multiple marriages, entrepreneurial or closely held business, or any other scenario that lends itself to future litigation, the use of a Qualified Independent Third Party or mediator reduces this probability. The mediation process is designed to achieve successful resolution of highly emotional and contentious conflicts that arise among individuals, distributees, heirs, beneficiaries, fiduciaries, and/or taxpayers in a manner that seeks to avoid or reduce the significant economic and personal costs incurred by the parties to such disputes.