



# Closely-Held & Family-Owned Businesses

## PRACTICES

## OVERVIEW

Smith Anderson's closely-held and family-owned businesses practice group is comprised of experienced advisors who understand the challenges faced by small and mid-sized businesses and their owners at every stage of a company's life cycle. We understand that every closely-held enterprise is different, and we work with our clients to craft tailored solutions for their legal needs rather than adopting a "one size fits all" approach.

Regardless of a company's size or life cycle stage, our attorneys give every client the same responsive, high-quality service. We regularly work closely with our clients' other professional advisors, including accountants, business brokers, insurance agents and personal financial planners.

Our attorneys help identify and avoid the risks that can threaten the survival of closely-held companies, including: owner and family disputes, disagreements over compensation, difficulties in attracting and retaining talent, failure to adequately protect proprietary information, and failure to plan for the loss of key persons. We help our clients identify and focus on their long-term goals, whether they be value and wealth accretion, supporting and strengthening relationships in the community, promoting intergenerational harmony or all of the above.

## SERVICES

- Buy-Sell Agreements
- M&A
- Deal Structuring
- Negotiation Support
- Business and Individual Tax Planning
- Succession Planning
- Choice of Entity
- Limited Liability Companies and S Corporations
- Governance and Owner Disputes
- Family Disputes
- Debt and Equity Finance
- Securities
- Real Estate
- Trade Secret Protection
- Intellectual Property Protection

- Licensing
- Employment
- Equity Compensation
- Compensation and Benefit Plans
- Exit Event Planning
- Mergers, Acquisitions and Reorganizations
- Strategic Partnerships
- Tax Planning
- Personal Estate Planning – Wills, Trusts, Powers of Attorney
- Charitable Planning

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## EXPERIENCE

- Represented sellers in sales of closely-held businesses to strategic buyers, including private equity groups and to public companies
- Represented individuals making investments in closely-held businesses (raising funds and fund creation)
- Represented start-up businesses in connection with capital raises
- Represented entrepreneurs with business start-up matters, including choice of entity analysis and drafting related tax driven and general business agreements
- Represented individuals and closely-held businesses in individual and business tax planning and structuring transactions, including succession and exit planning
- Represented high net worth individuals in sophisticated transfer tax planning
- Represented clients with respect to asset protection and estate planning
- Represented a family-owned business in connection with its acquisition of multiple restaurants in Wake County, North Carolina
- Advised a privately held leading manufacturer of beverage and food service equipment in its sale to a public company for \$108 million in cash
- Advised a private technology company in an agreement to purchase development-legal invoice analysis software
- Advised a privately-held food processing technology company in an agreement to sell the assets of its two wholly-owned subsidiaries for \$25 million in cash at closing with a \$20 million cash earnout
- Advised a large multinational distributor of countertop surfaces (e.g., granite and marble) in a tax-efficient spin off of five subsidiaries

## PROFESSIONALS

Jordan L. Fieldstein

Kimberly Quarles Swintosky

Joshua D. Bryant

Ansley Chapman Cella

Peter James (PJ) Cline

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## RELATED AREAS

Commercial Contracts

Corporate Governance

Data Privacy

Employee Benefits & Executive Compensation

Employment Litigation

Employment, Labor and Human Resources

Intellectual Property

Mergers and Acquisitions

Non-Compete & Trade Secrets

Private Equity

Public Companies

Tax

Technology Transactions

Trusts and Estates

