



SOUTHPORT HARBOR

Dear Clients & Friends,

We have prepared this annual update to inform you about developments in the law that may be important to your business and your family, and to share firm developments – big and small.

Inside this issue, we cover topics ranging from basic severance pay considerations for employers to the role and value of a trustee. We also share a significant number of firm initiatives and accomplishments that have transpired over the past year. We hope the information reflects the unique and complementary experience and skills our attorneys bring to clients.

In closing, we would like to take the opportunity to express that we appreciate your business and remain committed to providing exceptional work product in a responsive, timely and efficient manner.

Best Regards,

Brody Wilkinson PC

## What A Company Can Do To Prepare For A Rainy Day: Best Crisis Management Practices

**ADVANCE PREPARATION WORK** may not be the most glamorous project on your “to-do” list this year but it will pay dividends for a corporate brand and long-term health of a company when the inevitable day comes for a crisis plan to be activated.

In fact, advance preparation is the key to any crisis management success. Without a good plan ready to be deployed when circumstances demand, a company will be playing catch-up from the outset of a crisis and will lose valuable time in the crucial early stages of a crisis while devising a game plan.

When crisis strikes a company, it must be managed in a holistic way that involves not only legal strategy but also the management of business concerns and the emotions of the many parties affected by the crisis – such as employees, suppliers, vendors, distributors and customers. The truth is that every one of those constituencies has a tremendous impact on the way the company’s brand is perceived, which is a long-term predictor of corporate success that goes far beyond any one lawsuit or legal dispute.

### **BEST PRACTICES FOR CRISIS MANAGEMENT:**

**STEP 1:** Make a commitment to develop and implement a crisis management plan before a crisis hits.

**STEP 2:** Create a crisis management team, including outside legal counsel and public relations professionals, and define specific roles and responsibilities for each member. Assemble the team regularly to cultivate a comfortable working relationship.

**STEP 3:** Conduct crisis drills at least once per year with all team members exercising the responsibilities they are expected to carry out when a crisis happens.

**STEP 4:** Obtain media training for top executives and crisis team members.

**STEP 5:** Make and maintain media contacts who can be instrumental in distributing company messages. Keep an updated short list of key reporters and producers of importance to your company, locally and/or nationally.

**STEP 6:** Establish appropriate communication channels with employees so you can get urgent news and information out to them quickly.

**STEP 7:** Prepare generic positive messaging statements that can be rolled out in the early public hours of a crisis. This is critical during the early stage of the crisis when the company has the most control over the event and the brand.

**STEP 8:** Prepare press releases and talking points in advance of key events for both a good outcome and a bad outcome in legal proceedings, investigations, legislative developments, etc. Determine how the company is perceived by the public and keep that image in mind when crafting media communications so they feel more authentic.

**STEP 9:** Get all digital tactics in place in advance – perhaps a “dark” online microsite that can be activated when needed.

**STEP 10:** Document and distribute the crisis management plan to the team so it is ready to be activated when needed.

In following these steps to prepare for the eventuality of a crisis, it is critically important to focus on the long-term health of the business at all times and the interests of its most important constituencies. *For more information, please contact Thomas J. Walsh, Jr. (twalsh@brodywilk.com).*

## Personnel Issues To Consider When Purchasing A Professional Practice

**AS AN EXIT STRATEGY,** owners of small professional practices often take on younger practitioners as employees or minority equity holders in the hope that these new associates will complement their existing practices and ultimately buy out more senior practitioners. This arrangement can be an ideal means to realize the economic value of a lifetime of building a practice and also ensure a smooth transition for valued clients or patients. In representing the buyer of such a practice, it is important to focus on personnel issues since many long-time practitioners may have been treating staff as “family” and overlooking some of the formalities required of employers.

If the transaction is structured as an equity purchase, the buyer must be diligent in assessing potential liabilities and ensuring that proper indemnities are in place. There should be a careful review of all contracts and hiring letters. The purchase and sale agreement should contain representations as to the disclosure of all agreements, written or oral, with employees, as well as the disclosure of any known pending claims made by employees. An informal wage and hour audit should be conducted to make sure that accurate records have been kept of hours worked and that overtime has been paid unless employees have been properly categorized as exempt. Also, the use of any independent contractors on an ongoing basis should be reviewed. Forms I-9 should be on file for each employee kept separately from personnel files. If there is a written personnel policy, make sure that there are acknowledgements of receipt on file. Check to see if there are accurate records of earned and used paid time off and make sure that there are no oral “side deals.”

Typically, there are one or more problem employees whom the older practitioner does not want to terminate and the buyer does not want to retain. It is key to identify those employees and make sure that provisions are made for the termination of these employees before or at the time of closing. The parties should work together to allocate the cost of any severance packages that may be offered in order to avert liability for both the seller and buyer, and to allocate costs of defense and liability if wrongful termination claims are made. Making sure that there is an Employment Practices Liability Insurance policy in place to cap any such potential liability serves to limit the exposure of both parties in the case of high-risk employee terminations.

In the event of an asset purchase, it is also imperative to immediately institute proper personnel procedures that a prior owner may have neglected. It is important to inform employees of any new conditions of

employment when the employees are terminated by the prior employer and hired by the new entity. The transition is a good time to remind employees of the obligation to keep client/patient information confidential. The buyer should make sure that employees are paid for accrued and unused paid time off at the time of closing. If the buyer is going to assume these liabilities, an adjustment should be made to the purchase price. If the transaction is an asset purchase, efforts should be made for continuity of group insurance coverage. If the seller has a 401K or similar benefit plan, the buyer and seller should fully understand the seller's obligations with respect to the plan.

Frequently, personnel issues are left for the last minute or are neglected causing unexpected problems for the new owner of the practice. Advance planning can ensure a smooth transition and foster good employee morale after the transaction is closed. *For more information, please contact Barbara S. Miller (bmiller@brodywilk.com).*

## How To Establish A New Domicile In Florida

### THERE ARE A NUMBER OF REASONS WHY

individuals choose to move to Florida during their retirement or split their time between Connecticut and Florida. Not only does this living arrangement allow an individual to avoid cold and snowy winters in Connecticut but Florida's lower cost of living enables individuals to stretch their retirement dollars. Florida is considered to be a tax friendly state as it does not have an income, gift or estate tax and it has favorable creditor protection laws (*i.e.*, homestead).

In order to enjoy the legal benefits of being a Florida resident, an individual must change his or her domicile to Florida. Domicile is defined as the place where a person intends to return to when away and treats as his or her permanent home. While people may have multiple residences, only one state can be considered a person's domicile. The state of domicile dictates where individuals pay state income, estate and gift taxes. Hence, establishing a new domicile is a prerequisite to enjoying Florida's various legal and tax benefits.

When trying to establish a new domicile there are a number of factors that should be considered including: (1) location of the primary residence; (2) business connections; (3) time spent in the state; (4) location of personal items; (5) family and friend networks; and (6) abandonment of former domicile. The Connecticut Department of Revenue Service provides a checklist of items it considers when it determines whether a decedent was domiciled in Connecticut. A few indicators that suggest an individual's domicile was changed to Florida include, but are not limited to, filing tax returns using a Florida address, executing new

Florida estate planning documents, obtaining a Florida driver's license, buying property in Florida, registering to vote in Florida, becoming active in the community, and changing motor vehicle registration. No one indicator will control the determination, so keeping meticulous records is imperative. This is especially true if an individual or family wishes to maintain a residence or other assets in their former home state.

Changing domicile can have major impact on one's personal, professional and financial being, so it is important to consider all the implications, carefully. *For more information, please contact Alyssa V. Sherriff (asherriff@brodywilk.com).*

## Connecticut Joins Growing List Of States To Authorize Benefit Corporations

### THE CONNECTICUT BENEFIT CORPORATION

**ACT**, which became effective on October 1, 2014, authorized the formation of benefit corporations (also known as B-corporations) under state law. A benefit corporation is a for-profit corporation that is allowed to consider the needs of society, in addition to the needs of its shareholders, when making business decisions. It is an entity that is ideally suited for the growing number of socially conscious entrepreneurs.

The main advantage of a benefit corporation is that its officers and directors are provided with some immunity from shareholder claims if they are acting in furtherance of the corporation's social mission. The officers and directors of a traditional for-profit corporation may breach the legal duties they owe to their shareholders if they take actions that are not intended to maximize shareholder returns. Accordingly, a benefit corporation is allowed to devote some of its resources to the public good without significant fear of liability.

In order to become a benefit corporation under the Act, a corporation simply needs to state in its initial or amended certificate of incorporation that it has a purpose of creating a general public benefit, or one or more specific public benefits, in addition to its regular business purposes. A general public benefit is one that has a "material, positive impact on society and the environment." The specific public benefits that may be pursued include, among others, protecting or restoring the environment and/or promoting the arts, sciences or advancement of knowledge. Once formed, a benefit corporation is required to distribute to its shareholders and post on the public portion of its website an annual benefit report detailing its efforts to foster its specified public benefits. The Act, unlike similar statutes in other states, also allows a corporation to adopt a legacy



preservation provision which greatly restricts the ability to revoke a company's benefit corporation status.

Connecticut is at least the twenty-sixth state to authorize benefit corporations. The rise of benefit corporations has been attributed, in part, to a greater demand for corporate responsibility in the wake of various scandals. There are several reasons for business owners to consider forming a benefit corporation besides a desire to become a better corporate citizen. Giving back to society whole can have a salutary effect on a corporation's public relations and the morale of its employees. Benefit corporations can also attract investments from impact investors who place a premium on societal goals. However, the increased transparency requirements of a benefit corporation, including the obligation to file public reports, can deter some business owners who prefer to keep their affairs private. Accordingly, you should seek advice from a business attorney to determine whether a benefit corporation is the right entity for your company. *For more information, please contact Mark W. Klein (mklein@brodywilk.com).*

## Basic Severance Pay Considerations For Employers

### THE DECISION TO TERMINATE AN EMPLOYEE

is often one of the most difficult decisions that an employer must make. Apart from the inherent personal discomfort that accompanies termination, a minefield of legal issues exists and has the potential to result in contentious litigation. Severance pay, however, can be a valuable tool to minimize liability and the collateral damage that can result from the termination of an employee.

### THE FOLLOWING IS A LIST OF SEVERANCE BASICS EMPLOYERS SHOULD KNOW:

#### IS SEVERANCE PAY REQUIRED BY LAW?

An employer is not obligated to pay an employee severance unless it has agreed to do so in advance, such as in an employment agreement, personnel policy, employee handbook or collective bargaining agreement. Otherwise, an employer is free to terminate an employee without severance pay regardless of the employee's length of the service, position or salary.

#### WHY SHOULD AN EMPLOYER OFFER SEVERANCE?

While severance pay is only required when the employer is bound by contract, a cost-benefit analysis often motivates employers to offer severance to protect the employer from litigation related to the discharge of the employee. Regardless of whether an employee

is considered "at-will," an employee can bring claims for wrongful termination based on a number of factors including age, race and religion. Defending these claims can be expensive and time-consuming. Employers may also consider paying severance to reward an employee's good service, to ease the burden of loss of employment and to mitigate the negative effects on other employees.

### IS A WRITTEN SEPARATION AGREEMENT REQUIRED?

Severance pay should always be accompanied by a written separation agreement which not only sets forth the terms of the severance pay, but also, among other things, includes a release of all claims the employee had or may have against the employer. The separation agreement can be tailored to prevent the employee from competing with or disparaging the employer and soliciting the employer's customers and employees. In addition, the separation agreement can require the employee to return all company property and keep all details of the severance payment confidential.

### HOW MUCH SEVERANCE SHOULD BE PAID?

A separation agreement must be supported by sufficient consideration. In other words, the employer must pay the employee more than the employee was otherwise owed based on the work he or she actually performed. The amount of severance can be structured as a flat fee or a figure derived from the employee's salary over a certain number of weeks. *For more information, please contact Daniel B. Fitzgerald (dfitzgerald@brodywilk.com).*

## New Law Amplifies Importance Of Proper Entity Maintenance In CT

**ON JUNE 6, 2014**, Governor Dannel P. Malloy signed into law "An Act Concerning the Integrity of The Business Registry." Among other things, the Act authorizes the Connecticut Secretary of State to dissolve or terminate a Connecticut business entity's existence, or revoke an out-of-state business entity's authority to conduct business in Connecticut, if the entity fails to file its Annual Reports. Under existing Connecticut law, business entities (whether organized under Connecticut law or authorized to conduct business in Connecticut) are obligated to file Annual Reports with the Secretary on or before each anniversary of the date of the applicable entity's organization. The new Act, which became effective on January 1, 2015, applies to various business entities, including corporations, LLCs and limited partnerships. Under the Act, the Secretary can dissolve a Connecticut corporation, LLC or limited partnership if the entity's Annual Report is more than one year past due. The Secretary can also revoke the authority of an

out-of-state business entity to conduct business in Connecticut at any time after the entity fails to file its Annual Report.

Maintaining the entity's existence ensures the intended tax and liability limitation laws apply to the entity and its owners. If the entity's existence is terminated, owners could be held personally liable for the debts and other obligations of the entity, including the entity's tax obligations, and, alternatively, the business assets of the entity could be made subject to the personal tax liability of its owners. Also, an entity that has been dissolved (or which has had its authority to do business in the State revoked) by the Secretary would be unable to sue or defend a lawsuit; at risk of losing its right to use its entity name; and limited in its ability to enforce contracts entered into by it. In short, the entity could lose most of the benefits for which it was formed.

Filing annual reports is just one of the obligations required by law to maintain the entity's separate legal status and avoid personal liability. It is also important for business entities to maintain proper records. Failure to do so may have adverse consequences for the entity, particularly for Connecticut corporations, which are specifically required by Connecticut law to hold annual shareholder and director meetings. Moreover, in the course of conducting audits, IRS agents routinely request copies of an entity's books and records.

This new Act amplifies the importance of proper entity maintenance. In response, Brody Wilkinson is now offering a Company Compliance Checkup to our business clients to help them comply with Connecticut law and free them to focus on more substantive business matters. *For more information on the new law and this service, please contact Justin L. Galletti (jgalletti@brodywilk.com).*

## The Role And Value Of Your Trustee

**AS YOU COMPLETE OR REVIEW** your estate planning, care should be taken in appointing a trustee. A trustee is a person appointed to manage your trust for the benefit of the trust beneficiaries. A trustee is charged with following the instructions set forth in the trust instrument, investing the trust principal, filing tax returns, and generally administering the trust. Trustees in Connecticut and New York (along with many other states) are required to comply with the "Uniform Prudent Investor Act ("UPIA"). The UPIA is intended to set a standard for trustee actions. The trustee is directed to manage the trust assets as a "prudent investor" would, considering the purpose and terms of the trust, the distribution instructions, and the needs of the beneficiaries.

Under UPIA, the trustee should determine whether the total portfolio is appropriate for the trust. Individual investments are not per se appropriate or inappropriate. Diversification is an important piece of protecting the trust principal for the beneficiaries. Importantly,

the trustee is allowed to delegate investment and management functions to other people, such as investment advisors and accountants, provided that the trustee maintains oversight over the person to whom a task was delegated. A professional trustee will know how to make this analysis. An individual trustee is encouraged to consult with other advisors.

The trustee, individual or professional, should build a team of advisors to assist in managing the trust. A family member trustee is typically chosen for his or her connection to the beneficiaries. He or she might also have special expertise with taxes, investments, or legal issues; however, if not, the trustee should hire an investment advisor, accountant, or lawyer. The trustee is in charge of the team and must ensure the whole team is working in furtherance of the trust's purposes.

Shortly after accepting the position of trustee, the trustee is charged with reviewing the terms of the trust and the trust assets to determine which assets should be kept or sold. The trustee should carefully review the terms of the trust to learn the parameters of discretionary decisions he or she can make. Next, the trustee should get to know the beneficiaries. What are their needs? Does the current investment strategy meet those needs? Recall that all decisions impact both current and remainder beneficiaries and the trustee is accountable to both. Again, the trustee might need to consult with other advisors.

While serving as a trustee is a large responsibility, the key to success lies not in the growth of the trust or the performance of the investments, but rather the careful management of the process. With the right team and strategy in place, the trustee and the trust can flourish. *For more information, please contact Heather J. Lange (hlange@brodywilk.com).*

## Representative Matters

### **BRODY WILKINSON'S BUSINESS GROUP**

represented the principals of a pump manufacturing company in connection with the sale of their stock in the company to a financial buyer. The multi-million dollar sale was conducted by an auction process through an investment banker and involved the use of a virtual data room for due diligence. The transaction also included a lease of the business premises and arrangements with the retiring principals to provide transition services. **William J. Britt, James E. Rice and Mark W. Klein** worked on the matter.

### **BRODY WILKINSON'S TRUSTS & ESTATES GROUP**

represented an individual who had a particularly large amount of taxable income during the year. He wished to reduce his income tax while also benefiting his private foundation and his children. By setting up a "Charitable Lead Annuity Trust" (or CLAT) which pays out an annuity to his private foundation for a fixed

number of years and passes any remainder to his children, he is able to take an income tax deduction this year for the gift to the CLAT (subject to limits based on his AGI), and whatever cannot be used this year can be carried-forward for up to five years. Because this type of CLAT allows for an up-front income tax deduction, the trust's income will be taxed to him each year. The client is a trustee of the CLAT and can make investment decisions. He is also a director of the private foundation but cannot have any control over payments made to the foundation from the CLAT. **Peter T. Mott** and **Lisa F. Metz** worked on this matter.

**BRODY WILKINSON'S DISPUTE RESOLUTION GROUP** represented an executor in successfully defending an appeal from probate in a superior court trial regarding the executor's actions in administering an estate involving legal issues concerning management of three real estate properties in Westport, priority payment of estate expenses and debts, and control over a family-owned limited liability company. In a companion case, we successfully represented the executor in becoming the receiver of the family company to wind up its affairs and sell its assets. The cases are on appeal. **Douglas R. Brown** and **Daniel B. Fitzgerald** worked on this matter.

**BRODY WILKINSON'S BUSINESS GROUP** represented entities formed to raise private equity and private debt financing for the acquisition, renovation and operation of a regional sports facility. The matter involved many facets, including the negotiation of an operating agreement and agreements with key employees, a real estate purchase and related due diligence, and inter-creditor arrangements. **Thomas J. Walsh, Jr., James E. Rice** and **Justin L. Galletti** worked on the matter.

**BRODY WILKINSON'S BUSINESS GROUP** represented a licensing company in connection with the development, marketing and sale, by a third party, of a sports and entertainment mobile device application and a game for traditional desktop play. Our advice involved the drafting of the licensing agreement and negotiating the terms and conditions of the intellectual property being used in connection with the application. **Thomas J. Walsh, Jr.** and **Justin L. Galletti** worked on the matter.

**BRODY WILKINSON'S TRUSTS & ESTATES GROUP** frequently represents family-owned companies and the estate planning needs of their owners. In the past year, the firm worked with at least two families to develop a succession plan to pass their successful companies to the next generation of family managers/owners. Each plan needed to take into consideration the financial needs and goals of the senior generation while making the transition affordable to the next generation. Family dynamics and abilities of the next generation were

of paramount concern to assure continued effective management and success of the family company. Estate and income tax considerations were also important. The solutions in each case differed but involved a mix of individual estate plans, deferred compensation arrangements, employment agreements, shareholder agreements and various financing techniques. **Ronald B. Noren, Robert L. Teicher** and **Thomas J. Walsh, Jr.** worked on these matters.

**BRODY WILKINSON'S DISPUTE RESOLUTION AND TRUSTS & ESTATES GROUPS** represented an administrator in successfully negotiating a settlement agreement with the creditors of an estate and getting the agreement approved by the court. The agreement resolved two lawsuits, prevented a foreclosure, and cleared the way for the administrator to sell the estate's development real estate. **Douglas R. Brown, Heather J. Lange** and **Seth L. Cooper** worked on this matter.

## Accolades & Credits

**Brody Wilkinson** was named to the 2015 "Best Law Firms" list by *U.S. News & World Report* and *Best Lawyers*. The firm was also recognized with a Tier 1 ranking in the Metropolitan Stamford region in the area of Trusts and Estates. In addition, Brody Wilkinson principals **Peter T. Mott, Ronald B. Noren** and **James E. Rice** were selected again by their peers for inclusion in the 2015 edition of *The Best Lawyers in America*. Mr. Mott and Mr. Noren were recognized in the area of Trusts and Estates and Mr. Rice was recognized in the area of Energy Law. Firms included in the 2015 "Best Law Firms" list are recognized for professional excellence with persistently impressive ratings from clients and peers. Achieving a tiered ranking signals a unique combination of quality law practice and breadth of legal expertise. "Best Law Firms" rankings are based on a rigorous evaluation process that includes the collection of client and lawyer evaluations, peer review from leading attorneys in their field, and review of additional information provided by law firms as part of the formal submission process. *For more information on methodology, please visit [bestlawyers.com](http://bestlawyers.com).*

**William J. Britt, Douglas R. Brown, Stephen J. Curley, Barbara S. Miller** and **Peter T. Mott** were named to the 2014 "Connecticut Super Lawyers" list. In addition, **Justin L. Galletti** and **Daniel B. Fitzgerald** were selected as "Connecticut Rising Stars." All seven attorneys are featured in a special supplement of the November 2014 issue of *Connecticut Magazine*. Based on a rigorous, multiphase peer-review process, Super Lawyers is a credible, comprehensive and diverse listing of attorneys in more than 70 practice areas. Super Lawyers listings are used as a resource guide to assist businesses and individuals in hiring legal counsel. Super Lawyers is published by *Law & Politics* as a special supplement in top newspapers and city and

regional magazines across the country. The published list represents no more than 5% of the lawyers in the state. *For more information on the Super Lawyers selection process, visit [www.superlawyers.com](http://www.superlawyers.com).*

**Barbara S. Miller** was again recognized as a leading environmental lawyer in Connecticut by *Chambers USA* in its 2014 edition. Ms. Miller has held this distinction since 2010. Chambers is an international publisher of legal profession guides and is widely respected throughout the world for its comprehensive research and review process. Chambers employs a team of 100 full-time researchers to conduct interviews, identify, and rank the world's best lawyers who exceed client expectations by delivering the highest level of technical capability, business acumen, service and value. *For more information about standards for inclusion, visit <http://www.chambersandpartners.com/Rankings-Explained>.*

**Thomas J. Walsh, Jr.** served as program co-chair and a panelist at the 2014 American Business Association's Business Law Section Spring Meeting held in Los Angeles, California. Mr. Walsh spoke on the "Best Practices for Attorneys in High-Profile or Crisis Situations." He also spoke on this topic at a 2014 Thomson Reuters-sponsored seminar in New York and was subsequently quoted in the *Wall Street Journal* in an article written about the program. In addition, Mr. Walsh was appointed chair of the American Bar Association's Middle Market and Small Business Committee.

**Peter T. Mott** was appointed by the American College of Trust and Estate Counsel (ACTEC) to serve as its state chair of Connecticut and chair of its Professional Responsibility Committee. Mr. Mott also continues to serve as a member of the ACTEC Foundation Board of Directors. ACTEC is a national organization of approximately 2,600 lawyers elected to membership by demonstrating the highest level of integrity, commitment to the profession, competence and experience as trust and estate counselors. Mr. Mott was also elected moderator for First Church Congregational in Fairfield.

**Ronald B. Noren, William J. Britt and Heather J. Lange** attended The 48th Annual Heckerling Institute on Estate Planning held in Orlando, Florida. The Heckerling Institute is the nation's leading conference for estate planners, including attorneys, trust officers, accountants, insurance advisors, and wealth management professionals. The conference provided seminars on the most current strategies and developments in tax and estate planning.

**Robert L. Teicher** attended New York University Institute on Federal Taxation, the leading annual national conference for tax lawyers. The conference provides high-level updates, practical advice and in-depth analysis of the latest trends and developments from leading experts in the areas of corporate, partnership, international, and estate and gift taxation and tax litigation. In addition, he serves as an adjunct

professor at Quinnipiac Law School and taught civil tax procedure in the 2014 Spring semester.

**Jennifer A. Basciano** attended the National Academy of Elder Law Attorneys (NAELA) Annual Conference in Scottsdale, Arizona. NAELA members and speakers have helped define this area of law and at this year's conference, attendees participated in interactive sessions led by experts in the field to sharpen their skills and knowledge on elder law topics.

**Douglas R. Brown** was elected to membership in the Estate Planning Council of Lower Fairfield County, Inc., a nonprofit organization that promotes the exchange of ideas and planning information among estate planning professionals. In addition, he served as an attorney teacher for a day in an AP U.S. Government class at Fairfield Warde High School to prepare the class for two appellate case arguments the Connecticut Supreme Court heard at the school in October through a program sponsored by the Greater Bridgeport Bar Association.

**Brian T. Silvestro** addressed the Greater Fairfield Board of Realtors on the subject of "Attorney/Agent Partnerships." Mr. Silvestro spoke about the difficulties today in dealing with open building permits and repeated mortgage contingency extensions. Mr. Silvestro was also interviewed by Connecticut Homes on "Get Help with Common Real Estate Disputes" published online at [www.connecticutforsale.com](http://www.connecticutforsale.com). Connecticut Homes is a full-service brokerage firm serving all of Connecticut.

## FTC Presents Brody Wilkinson With A "Corporate Citizen Of The Year" Award

### FAIRFIELD THEATRE COMPANY (FTC)

presented Brody Wilkinson with a "Corporate Citizen of the Year" award at its annual Encore Gala in November. The award was given in recognition of the firm's ongoing support, which has included the underwriting of five performances over the past two years of musical artists The Last Bison, BB King, David Sanborn, Buddy Guy and Johnny Lang, and Joan Osborne. "We are honored to be recognized in this way by FTC," said Brody Wilkinson principal Thomas J. Walsh, Jr. "I have a special connection to this facility because I represented the Town of Fairfield when the FTC property was purchased. It has been fascinating to watch the evolution from a manufacturing facility to a community arts mecca," he added. Attended by supporters of the arts and business and political leaders from Fairfield County, Encore is FTC's largest annual fundraiser.



## Trusted Advisors, Practical Solutions

### ATTORNEYS

Jennifer A. Basciano  
William J. Britt  
Douglas R. Brown  
Seth L. Cooper  
Stephen J. Curley  
Daniel B. Fitzgerald  
Justin L. Galletti  
Mark W. Klein  
Heather J. Lange  
Diane F. Martucci  
Lisa F. Metz  
Barbara S. Miller  
Peter T. Mott  
Ronald B. Noren  
S. Giles Payne  
James E. Rice  
Alyssa V. Sherriff  
Brian T. Silvestro  
Robert L. Teicher  
Thomas J. Walsh, Jr.

## Pro Bono Spotlight

**WHILE BRODY WILKINSON** has avidly supported Fairfield County's Community Foundation (FCCF) since its inception, we stepped up our commitment in 2013 by assuming the role of general counsel on a *pro bono* basis. In addition to this affiliation, we have introduced many of our clients to FCCF who have subsequently included the Community Foundation in their estate plans. Given our extensive involvement, we are frequently asked, "What value does FCCF bring to the community?" In short, we believe the real value the Community Foundation delivers is the staff's ability to leverage their extensive knowledge of local needs. They match the interests of donors with organizations that are focused in those areas and help individuals stretch their generosity through collective giving with like-minded philanthropists. For clients who are committed to making our community a better place to live for all of its residents, FCCF is the perfect way of ensuring their philanthropic dollars have the greatest impact. We are proud to play a supporting role in carrying out their mission.