



# DOCK STREET LITIGATION & VALUATION, LLC

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## Special points of interest:

- Cary Deaton will be part of a panel discussing the new AICPA Business Valuation Standards at the WSCPA's Annual Business Valuation and Litigation Services Conference on October 27, 2008 in Bellevue, WA.
- We have recently updated our website ([www.litvalexperts.com](http://www.litvalexperts.com)), adding helpful information, including CPA CVs, our "short form" valuation information request, past newsletters, testimonials and CLE registration forms.

## Upcoming CLE Seminar!

Written By: Danene M. Spaeth, CPA



Register today for Dock Street Litigation & Valuation, LLC's annual CLE Seminar! This year's event, **"The Effective Litigator: Ethics, Experts & E-Discovery"**, will be held on Wednesday, December 3, 2008 at the Hotel Murano in Tacoma. Register for a 4-credit (3 general & 1 ethics), half-day session or 8-credit (6 general & 2 ethics), full-day session.

Whether you specialize in family law, business law, or personal injury, this seminar will provide you with practical tips to enhance your skills and make you a more effective litigator!

**If you register early (before October 15th), the cost for a 4-credit, half-day (morning or afternoon) session is \$75 and an 8-credit, full-day session is \$125.** After October 15th, the cost for registration is \$100 for a half-day session and \$150 for a full-day. Lunch and parking will be provided for all participants.

To register, please contact Tina Mungaray, DSLV Office Manager, at (253) 573-9500 or download the registration form from our website [www.litvalexperts.com](http://www.litvalexperts.com).

Following is a schedule of the day's events:

7:15 AM—Registration and Continental Breakfast

### Morning Session: (7:50 A—12:10 P)

Topics Include:

**"Ethical Issues in the Courtroom"**  
Presented By Judge Kathryn J. Nelson

**"Accounting 101—Effectively Using Accounting Terms in Contractual Agreements"**  
Presented By Shelley A. Drury, CPA, ABV, CVA & W. Cary Deaton, CPA, ABV, CVA

**"Working Effectively with Experts: A Panel Discussion"**  
Panelists include Shelley A. Drury, CPA, ABV, CVA (financial expert), Stan Owings, MS, CDMS (vocational expert) & a mental health expert (TBA)

12:10 PM—1:00 PM Lunch  
(Provided for all attendees.)

### Afternoon Session: (1:00 P—5:20 P)

Topics Include:

**"Cross Examining & Deposing Experts"**  
Panelists Include William B. Pope, Attorney At Law, Norman Margullis, Attorney At Law & Jacob Downs, Attorney At Law

**"Spoliating the Party by Loss or Destruction of Evidence"**  
Presented By Nigel Malden, Attorney At Law

**"Approaching E-Discovery with Confidence & Competence"**  
Presented By Gregory Shelton, Attorney At Law

## Dock Street Now Offering Business Valuations for Gift & Estate Tax Purposes

Written By: W. Cary Deaton, CPA, ABV, CVA

Effective immediately, Dock Street Litigation & Valuation, LLC is offering business valuations in the gift and estate tax arena.

Both Shelley A. Drury and W. Cary Deaton have extensive experience in the gift and estate tax area including:

- Valuation of operating businesses and professional practices
- Valuation of fractional and undivided interests
- Valuation of qualified personal residence trusts
- Valuation of family partnership and limited liability interests
- Calculation of minority interest discounts, lack of marketability discounts and other discounts
- Defending valuations before the Internal Revenue Service

We believe that offering estate and gift tax valuations will further diversify our practice and make Dock Street Litigation & Valuation, LLC the "one stop" choice for all your business valuation needs.

### Our Services Include:

Assistance in Marital Dissolution, Including Collaborative Divorce

Personal Economic Loss Calculations

Business Loss Calculations

Fraud Investigation & Forensic Accounting



W. Cary Deaton, CPA, ABV, CVA

Shelley A. Drury, CPA, ABV, CVA

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*Providing comprehensive litigation & valuation services to the legal community throughout Western Washington.*

### Divorce Valuations—Recent Cases

**Joni Packard Larson v. Rick Larson, 2007 SD 47**

The South Dakota Supreme Court determined that a personal guarantee of business debt should not be deducted as a liability when determining the parties' net worth, where the business' net asset value is sufficient to cover the debt, the business is a going concern with good prospects on the valuation date and the business debt is covered by another guarantee that will be called upon before the husband is required to pay.

**Jacyln R. Mugge v. Alan I. Mugge, No. A06-503 (Minn. App. 1/2/07), unpublished**

The Minnesota Court of Appeals determined that a lower court erred when it valued a personal services business using a capitalization of earnings method but did not account for the husband's personal services. The Court found that it is appropriate to consider the husband's personal services to the business and apply a key-person discount, so long as the adjustment are not duplicative.

**Merdian v. Merdian, 2008 WL 859174 (N.J. Super. A.D. April 2, 2008)**

The New Jersey Superior Court, Appellate Division, held that stock options awarded three months after the end of the marriage and awarded in part to retain successful employees were entirely marital property since the option grantee became a successful employee during the marriage.

**Beggs v. Beggs, No. CA 07-767, 2008 WL 946088 (Ark. App. April 9, 2008)**

The Arkansas Court of Appeals determined that a trial court did not err when it calculated the amount of husband's earnings for child support purposes based on the last full fiscal year rather than the estimated amount of current year earnings, which husband claimed would be substantially less, since the wife's expert determined that the current year was in line with past years' earnings.

Excerpts from "Stockdale's Court Corner", John Stockdale, Jr., Business Valuation Resources, LLC, *The Value Examiner*.

**DSLTV Celebrates 5th Anniversary**

On October 1, 2008, Dock Street Litigation & Valuation, LLC celebrates its 5th anniversary and partners, Shelley A. Drury & W. Cary Deaton, celebrate 10 years of working together.

Our heartfelt thanks to all of you whose referrals and confidence in our work are responsible for our past and future success.

### The DSLTV Difference

Founded in 2003, Dock Street Litigation & Valuation, LLC Our goal is to deliver high-quality professional services, specializes in business tailored to meet the individual valuation, financial issues in needs of our clients. We are marital dissolution, personal known for our independent, economic loss and business innovative and cost-effective loss calculations, fraud approach to client investigation and other engagements. Attorneys who litigation related issues. We are work with us appreciate our testifying experts, with over responsiveness and forty years of experience, who professionalism defend our calculations and and often make conclusions in courtrooms us a regular throughout Western part of their Washington. litigation team.

