

DOUGLAS L. YOUMANS, Partner
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Introduction

With over 20 years of in-depth experience in business, estate, real estate, tax planning and controversy work, Mr. Youmans has developed a practice designed to provide multi-dimensional legal services to individuals, executives and business owners who must comply with today's complex legal system. Mr. Youmans provides expert legal services directly to clients, as well as to their primary attorneys, accountants, financial advisers and other representatives.

Real Estate

Represents several real estate development companies as general counsel. He counsels clients on various real estate related matters include acquisitions, sales, exchanges, financing, reorganizations, debt restructuring, leases, partnerships, joint ventures, broker-agent relationships, bond issues, options, licenses, easements, subdivisions, landlord-tenant issues, foreclosures, homeowner associations, syndications, private placements, condemnation, race track leases, development agreements, cost sharing agreements, shared appreciation mortgages, and litigation support. Lawyered transactions ranging from hundreds of thousands to hundreds of millions of dollars.

Business Law

Represents companies as general counsel in connection with owner relationships and dispute resolution; mergers and acquisitions; employment matters; contracts; leases; deferred compensation plans; and general business law. Representation has included small start-up companies with but few employees, to large established companies with hundreds of employees.

Tax Law

Represents companies and individuals in virtually all aspects of tax planning and controversy resolution before federal and state taxing authorities including litigation in tax and appellate court. Representative cases include: 100% employment tax penalty; income tax and fiduciary liability; fraud and negligence; income reconstruction; tax-free exchanges; reallocation of income; substantiation; timing; characterization; mergers; consolidated returns; and collections. Case values have ranged from thousands to millions of dollars.

Estate Planning

Represents individuals in all aspects of estate planning, probate and trust administration. Estate plans have included living trusts, marital deduction trusts, irrevocable trusts, life insurance trusts,

charitable trusts and foundations, and grantor retained income trusts. Representation has included individuals whose net worth range from hundreds of thousands to millions of dollars. Succession planning has included recapitalizations, buy/sell agreements, split interest acquisitions, partnerships, estate freezes, private annuities, self-cancelling installment notes and gifting. Probate and trust administration has included contested matters, asset identification and evaluation, beneficiary identification and determination of distributive shares, post-mortem tax planning, trustee and beneficiary representation and representation in estate and gift tax audits. Asset protection has included analysis of favorable jurisdictions, utilization of trusts, buy/sell agreements, limited liability companies, corporations and limited partnerships.

Health Law

Represents various health professionals in connection with their business, tax and estate planning, entity selection, employment agreements, leases, deferred compensation plans, buy sell arrangements, merger and acquisitions, third party contracts, practice sales, equipment leasing, and other matters.

Expert Witness/Consultant

Has been retained as an expert in legal/accounting malpractice cases, as well as real estate, tax, and trust/probate cases.

Education

Temple University, B.A. (Magna Cum Laude); 1977
McGeorge School of Law, University of the Pacific, J.D., 1980
Golden Gate University, M.B.A., Taxation 1984

Academic Activities

Adjunct Professor: Golden Gate University, 1985 to Present: Business Law; Tax Research; Estate and Gift Taxation; Estate Planning; Federal Tax Procedures; Tax Aspects of Marital Dissolution; Tax Accounting Periods and Methods; Tax Characterization of Income and Expenses; California State University at Sacramento, 1984-1985: Introduction to Accounting; Managerial Accounting.

Lecturer: 1982 to Present for various professional societies and organizations, including Continuing Education of the Bar, Northern California Tax Conference, Sacramento Board of Realtors, Society of California Accountants, Society of Enrolled Agents, California Society of CPAs, International Association of Financial Planners, Gold Country Estate Planning Council, Internal Revenue Service, Sacramento County Bar Tax Section, State Bar Tax Section.

Affiliations

Chair Elect of the Entities Committee of the State Bar of California Taxation Section

Sacramento County Bar Association
American Bar Association
State Bar of California
State Bar of California Probate, Practice Management and Tax Sections, Member
Society of California Accountants
California Society of CPAs
American Institute of CPAs
Internal Revenue Service Sacramento District Practitioners Liaison Committee, Charter Member
and Former Chair
Franchise Tax Board Advisory Group
Traynor Honor Society

Admissions

California State Bar, 1980; Certified Specialist, Taxation Law, 1988
U.S. Tax Court, 1983
U.S. District Court, Eastern District of California, 1982
U.S. Court of Appeals, 7th Circuit, 1987

Representative Publications And Presentations

Estate Planning Fundamentals
Family Partnerships
How to Draft Wills and Other Estate Planning Documents
Nuts and Bolts of Corporate Dissolutions
Retirement Plan Distributions
Tax Aspects of Bankruptcy
Tax Consequences of Partnership Dissolutions
Tax Deferred Exchanges
Tax Issues in Personal Injury Claims
Tax Planning for Real Estate Dispositions and Exchanges
Taxation of Capital Assets
Using California Trusts: Planning, Implementing, Administering and Terminating
Choice of Entity
Tax Updates
Nuts and Bolts of S Corporations
Asset Protection
Tax Aspects of Co-Ownership of Property

AV Peer Review Rated