

THE FAMILY ENTERPRISE
INITIATIVE SERIES

MY PERSONAL COMMITMENT



To Family Business Leaders
And To Your Advisor Team

Nick Niemann, Esq.
McGrath North Law Firm

MY PERSONAL COMMITMENT TO FAMILY BUSINESS LEADERS AND TO YOUR ADVISOR TEAM

Dear Family Business Leaders and Trusted Advisors-

My personal commitment to you began many years ago - long before our recent introduction - when I decided to become the most versatile Family Enterprise and Exit Planning attorney I could be.

I realized that to do this, I needed to pursue a non-traditional path for attorneys. I needed to understand Business first, and the Law second.

Growing up in a large family dedicated to Family Businesses was a great start. Business and Law Degrees from Creighton University were a big boost. But starting young and working with (and learning from) hundreds of great Family Business Leaders across the United States over several years is what has truly helped me to develop insights into the world of Family Enterprise and Family Business Planning that only experience and "two ears" can bring.

Over the course of several years we have been working hard to continue to develop the McGrath North Family Business Practice Group. We have worked with the nation's leading Family Business, Family Enterprise, Business Succession and Exit Planning organizations (such as the Business Enterprise Institute, Family Firm Institute and Exit Planning Institute). We have also worked with the nation's leading Business Success, Leadership and Innovation organizations (such as Vistage International, John Maxwell Leadership, CEO Space International, Secret Knock and Strategyzer). Through this experience we have developed the **Family Enterprise Game Plan** and the **Family Business Game Plan Programs**.

On the next couple pages, I have described some of the experiences and training that have helped us to design these Programs. This has prepared us for this moment - to be able to work together effectively with you.

My personal commitment to you is to move ahead with the speed, clarity, decisiveness and purpose necessary to help you achieve what you want to accomplish next for yourself, your Family and your Colleagues - as you move through (and then beyond) the next steps of continued success of your time in action.

We know that the Families of each of your Colleagues depend on the success of your Family Business for their careers and livelihoods just as your Family does. Knowing this is what drives us to work hard towards the continued success of your Family and the Family Business you have dedicated your life to.

Sincerely,

Nick Niemann

Chair, Family Business Practice Group
Partner, McGrath North Law Firm
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Omaha, Nebraska 68102
www.TheFamilyEnterpriseInitiative.com
402-633-1489
nniemann@McGrathNorth.com

"What are some of the organizations or firms who have trusted you to help address Game Plans that work for their members, colleagues or clients?"

- American Society of Woman Accountants
- Ameriprise Financial Services
- Arbor Bank
- Associated General Contractors
- Association of Corporate Growth
- Association of Language Travel Organisations
- American Association of Franchisees & Dealers
- BKD LLP
- Blackman & Associates
- Bland & Associates
- BMG CPAs
- Business Enterprise Institute
- Campbell Insurance Group
- Carson Allaria Wealth Management
- Centrec Consulting Group
- CEO Space International
- Clawson & Assoc.
- Collaborative Planning Group
- Community Banks of Colorado
- Corporate Finance Associates
- Creighton University
- Council on State Taxation
- CWG Advisors
- Darst Brune & Associates
- Deloitte
- Domino's Franchisee Forum
- Egermier Retirement & Financial Services
- Estate Planning Council of Portland
- Exit Planning Institute
- Family Firm Institute
- Farm Bureau Financial Services
- Financial Planning Association
- First National Bank
- Focal Point Coaching
- Foster Group, Inc.
- Great Plains Federal Tax Institute
- Greater Omaha Chamber of Commerce
- Greco & Associates Financial Services
- HBE LLP
- Hancock & Dana
- Haycox Financial
- Heineman Financial Strategies
- Hemmer, Langholz & Finley
- Home Instead Senior Care
- Illuminate Financial Group
- Inc. Magazine
- Iowa State Bar Association
- Kalamath Consulting
- Kennedy & Troshynski, P.C.
- Land Improvement Contractors Association
- M21 Consulting
- M Financial Group
- MarksNelson
- McMillen & Associates
- McDonalds (NBMOA)
- Masters Financial & Insurance Group
- Management Recruiters International
- Merrill Lynch
- MOKAN Trust & Financial Services
- Morgan Stanley Smith Barney
- Mutual of Omaha
- Nabity Financial Group
- National Advisors Trust
- National Association of Insurance & Financial Advisors
- National Business Institute
- Nebraska Association of Health Underwriters
- Nebraska Bankers Association
- Nebraska Chamber of Commerce
- Nebraska Farm Bureau
- Nebraska Society of CPAs
- Nebraska State Bar Association
- Nelson Van Denburg & Campbell
- New York Life Nautilus Group
- Northwestern Mutual
- OCI Insurance & Financial Services
- O'Donnell, Ficenec, Wills & Ferdig, LLC
- Omaha Estate Planning Council
- Optimist International
- Principal Financial Group
- RETSO
- Richardson & Associates, P.C.
- Rockefeller Capital Management
- Rossitto & Associates
- RSM McGladrey, Inc.
- Schroeder and Schreiner, P.C.
- Secret Knock
- Securities America
- Sehi & Associates, P.C.
- Seim Johnson
- Sentio Capital
- Sharp Physician Services
- Shaw, Hull & Navarrette
- Silverstone Group/HUB
- Society of Financial Service Professionals
- Solve HR
- Spectrum Financial Services
- Strafford
- Tax Executive Institute
- Tax Help Inc.
- Ted Rogers School of Management
- The Executive Committee (TEC)
- The Food Partners, LLC
- United Way
- University of Nebraska
- US Bank
- Vistage International
- Wealth Strategies Group
- WellsFargo
- Westchester Capital

The Family Enterprise and Family Business Game Plan Programs

Results Not Wanted



Results Wanted



Results Achieved By



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FACES
of
OMAHA



FACE OF BUSINESS CONTINUITY AND SUCCESSION PLANNING

Nick Niemann • McGrath North Law Firm

“**W**HEN MY GRANDFATHER died unexpectedly in his sleep, I learned as a 13-year-old the value which he and his trusted advisors put into protecting his family, his loyal team and his growing supermarket business. His Business Continuity and Succession Plan has enabled our family’s business to profitably grow beyond his wildest dreams as the company approaches its 100th anniversary.”

For over 30 years, business owners across the country have trusted Nick Niemann to look into the future with them to decide on the actions needed to achieve what

they value the most. All businessowners face much different personal, financial and business dynamics when they enter what Nick calls their personal “Fourth Quarter”.

“To continue to be successful, certain essential Fourth Quarter actions must be mastered.” The Business Continuity and Succession Planning program designed by Nick has been carefully crafted to accomplish these essential actions. OMAHA

1601 DODGE ST. #3700, OMAHA, NE 68102

402-633-1489 • FOURTHQUARTERFIRST.COM

Our Work With - And Membership Experience In - These Organizations Is Part of Our Commitment To Develop and Implement Outstanding Family Enterprise, Family Business, Succession and Exit Game Plans For Family Business Leaders Across The U.S.



Business Enterprise Institute

www.ExitPlanning.com



Exit Planning Institute

www.Exit-Planning-Institute.org



www.MaxwellLeadership.com



www.Strategyzer.com



American Bar Association

www.AmericanBar.org



Family Firm Institute

www.FFI.org



**Vistage International -
Family Business Network**

www.Vistage.com



www.CEOspaceInternational.com



Secret Knock

www.SecretKnock.co



www.AICPA.org

Our Affiliations With Other Trusted Advisors Is Critical To Designing and Implementing Outstanding Family Enterprise, Family Business, Succession and Exit Game Plans.

- Other Exit Planning Advisors
- CPAs
- Personal Financial Advisors
- Life and Disability Insurance Advisors
- P&C/D&O Insurance Advisors
- Family Business Consultants
- Strategic Planners
- Business Associations
- Peer Group Chairs and Members
- Business Coaches
- Bankers
- Deal Makers
 - Investment Bankers
 - M&A Advisors
 - Transaction Intermediaries
 - Business Brokers
- Corporate Attorneys
- Leadership Consultants
- Trust Companies
- Business Appraisers
- Chambers of Commerce
- Estate Planning Attorneys

“What Business and Professional Sectors have you personally worked in?”

Business

- | | |
|---------------------|-----------------|
| Business Services | Manufacturing |
| Transportation | Energy |
| Franchise | Security |
| Food & Beverage | Construction |
| Consumer Services | Health Care |
| Personal Services | Agribusiness |
| Product Development | Farm & Ranch |
| Technology | Real Estate |
| Financial Services | Distribution |
| Management | Leasing |
| Human Resources | Retail |
| Warehousing | Education |
| Data Centers | Data Processing |
| Telecommunications | Insurance |

Professional

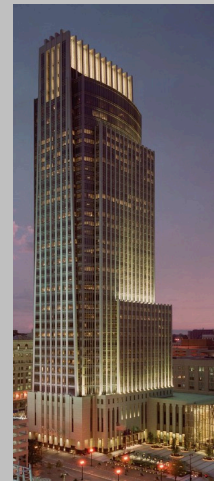
- | | |
|---------------------------|------------------|
| Financial Planners | CPAs |
| Insurance Advisors | Architects |
| Investment Advisors | Physicians |
| Business Consultants | Engineers |
| Environmental Specialists | IT Professionals |
| Real Estate Developers | Attorneys |

McGrath | North®

McGrath North focuses first and always on Client Success. We have a talented team of over 70 attorneys and other professionals who effectively and successfully collaborate with our clients, including small and middle-market companies to Fortune 500 companies operating in a broad range of industries.

Selected Practice Areas

- Family Enterprises
- Family Business
- Succession/Exit Planning
- Business Site Selection
- State Business Incentives
- Real Estate
- Business and Corporate
- Tax
- Mergers and Acquisitions
- Estate Planning
- Corporate Finance
- Employee Benefits
- Private Equity
- Securities Regulation
- Corporate Governance
- Intellectual Property
- Data Privacy



Our Family Enterprise and Family Business Programs Apply To All Companies



So... What do you want to see?

Family Business Leaders tell us they most want to **achieve:**

- Profitable Growth** for our business
- Wealth Protection** for what we're building
- Lifestyle Continuity** for us and our family
- Personal Freedom** on our terms

Family Business Leaders tell us they most want to **avoid:**

- “Train Wrecks”**

My Personal commitment is reflected in the feedback we receive from Clients and other Business Leaders from around the United States.

ThankYou!

What Are Your Clients Saying?

- "You and your team got it done and I appreciate it a great deal."*
- "Your insights and attention to details are excellent."*
- "Nick, you always have sound advice. You always get it done."*
- "I wanted to take a moment and offer our sincere thank you and appreciation for what all of you accomplished with the coaching, counseling and guidance that you provided throughout this entire process. The manner in which you all handled every aspect was the definition of world class service and support."*
- "Nick, we want to thank you so much for all your help and hard work for us. You and your folks really watched out for us."*
- "Your tenacity always amazes me as you do get items finished."*
- "Nick, just a quick note to tell you and your staff what a fantastic and very professional job you guys did on the transfer of my company to my son. I'm blessed to have met you."*
- "Thank you so much for advocating so strongly on our behalf."*
- "Nick and Matt, just an absolute pleasure to work with you both. I really appreciate your superb guidance, responsiveness, and knowledge."*
- "Nick, thanks so much in helping [my husband] get his dream realized. That was quite an accomplishment! We appreciate your hard work and effort. Thank you, thank you!"*
- "The business team and myself are really pleased we have decided to work with you and your team and finally feel confident about the path forward."*
- "You're always cool, calm and collected. Your Midwest demeanor has been helpful to both of us."*
- "I'd like to thank you again for your help and expertise. Your generosity and kindness will always be remembered."*
- "I appreciate all you do for us. Especially want to thank you for taking care of Mom's affairs as Dad requested. It means a lot ... And we know at times it is very trying."*
- "Thank you for helping resolve this issue. We appreciate all you do."*
- "I'm so glad we found you."*

For a copy of Nick's most recent book, just ask

HOW TODAY'S FAMILY BUSINESS PIONEERS ARE ACHIEVING INCREDIBLE LASTING RESULTS

**"FOURTH QUARTER"
FIRST**



NICK NIEMANN

Business Owner Survey

- 79% of Business Owners want to exit within 10 years
- 57% of Business Owners want to exit within 5 years
- 80% believe their exits will occur because of planning and actions they implement
- Owners are looking at multiple possible Exit Routes

Source: Business Enterprise Institute
www.ExitPlanning.com

98%

"The recommendation rating from the hundreds of CEOs and key executives of Vistage International Nick has worked with."

What Are National Business Leaders Saying?

"Nick, thank you for sharing your wisdom at our Secret Knock. Your energy, knowledge and insights were simply amazing."



Greg Reid
Founder and CEO of Secret Knock. Ranked by Inc. Magazine as the #1 "Can't Miss" business program in the country.

"Nick Niemann has a riveting way of conveying fresh, powerful business concepts which are critical today for every business and profession: from the smallest firms to global giants."



G. Michael Beduze
Managing Partner of DaVinci Global Consulting, LLC

"Nick Niemann takes E-Myth into the super change markets which dominate every business venture owner's thinking."



Berny Dohrmann
Founder and Chairman of CEO Space International, the world's largest network for CEOs, Entrepreneurs and visionary investors. Ranked by Forbes

"Nick, your profit strategies and creative approach for business growth and success is a tremendous benefit offered to business leaders."



Ron Klein
Inventor of the Credit Card Magnetic Strip and the Bond Quotation System for the New York Stock Exchange. Known as "The Grandfather of Possibilities"

Magazine as the #1 "Can't Miss" Entrepreneurs program in the country.

"Nick, you have done a great job in addressing one of the most important issues in business today. Keep up the good work!"



Brian Tracy
Author of The Way to Wealth. Top selling author of over 65 books and legendary speaker who has addressed over 5,000,000 people in over 65 countries.

"If you're ready to build your business so it will stand the test of time, then use the strategies by my friend, Nick Niemann!"



James Malinchak
Featured on ABC's Hit TV Show, "Secret Millionaire". Founder of James Malinchak International. Co-Author of *Chicken Soup for the College Soul*.

"Nick's approach is impactful, thought provoking, and critical to building a business platform that will stand the test of time."



Boyd Ober
President and CEO of Leadership Resources

"Nick Niemann does a masterful job of teaching us step by step how to build an organizational model that is able to survive and thrive in this competitive world today!"



John Formica
Former Disney Leader, America's Customer Experience Coach, Author of *Making the Customer Experience Magical Now!*

"Nick Niemann's inspiring approach to addressing the transformative forces which are shaping our future is a



roadmap for game changers!"
Barbara Niven
Business Media Expert

"Nick Niemann is a great planner and thinker and a leader in this entire field."



John Brown
Founder, Business Enterprise Institute, one of the two leading Succession and Exit Planning Organizations in the U.S.

A BIG PART OF MY COMMITMENT TO YOU

is to be on the leading edge of Business Model Innovation

(as the Omaha Chair of Vistage International describes below):

"I first met Nick Niemann when I brought the Vistage International CEO Peer Group program to Nebraska several years ago. I interviewed Nick to decide if I wanted him to serve as the Legal Counsel on our Trusted Advisor Board. I came expecting to hear typical lawyer talk. Instead, what I quickly saw was a new breed of attorney. Nick was soon also interviewing me. He wanted to know how Vistage could enhance the business and personal lives of its CEO members, how it could vastly improve the companies which joined it and how big I planned to grow our Nebraska presence.

"I quickly learned Nick was working with business strategists from 45 countries to co-create what would become known as Business Model Generation. This international initiative would introduce the world to the Business Model Canvas -- a powerful new technique for creating, re-designing, improving and pivoting a company's Business Model to achieve greater success. Nick was soon being asked to personally teach this profit system to over 850 Vistage CEOs and Key Executives throughout the U.S. and Canada. This remarkably versatile system is now being used by over 5,000,000 entrepreneurs and strategic thinkers around the world.

"As a former CEO of an international company, I've worked with many attorneys. But never one like Nick Niemann. He is a business profit strategist first, who happens to also have an incisive legal mind.

"So, I wasn't surprised when organizations like Secret Knock, one of the country's top programs for entrepreneurs, asked him to speak to their business leaders. Nor was I surprised when Inc. Magazine asked him to become part of their Launch! program for startup entrepreneurs. And I wasn't surprised when the founder of CEO Space International personally asked Nick to join their program.

"Nick has that pioneer mindset which tirelessly explores ways to bring greater success to the business leaders he works with every day. As I have told him: I know the work that goes into mastering something --- and you are a master!"



Cathy Fitzhenry

Omaha Chair Vistage International -
The world's leading CEO peer group and private advisory board organization

By being committed to working with Business Leaders and Trusted Advisors around North America, we are able to bring together a wide range of perspectives and ideas.

Some of the locations of the CEOs and other Business Leaders and Trusted Advisors I've worked with in the U.S. include:

- | | | | |
|--|--|--|--|
| Alabama
Birmingham | Illinois
Chicago
Edwardsville
Glen Carbon
Naperville
Quincy | Minnesota
New Ulm
St. Louis Park
St. Paul
Wayzata | North Carolina
Charlotte
Greensboro
High Point |
| Arizona
Phoenix
Scottsdale | Indiana
Indianapolis | Mississippi
Gulfport | North Dakota
Bismarck |
| California
Berkeley
Burbank
Carlsbad
Cathedral City
Chatsworth
Commerce
Downey
El Granada
Fairfield
Glendora
Los Angeles
Menlo Park
Monterey
Newport Beach
Oakland
Ontario
Palm Desert
Pleasanton
Pomona
Salinas
San Diego
San Francisco
Santa Monica
Suisun City | Iowa
Ames
Cedar Falls
Cedar Rapids
Council Bluffs
Davenport
Des Moines
Ida Grove
Iowa City
Glenwood
Monroe
Sioux City
Tabor
Waterloo | Nebraska
Alliance
Ashland
Bellevue
Blair
Burwell
Columbus
David City
Elkhorn
Fremont
Grand Island
Gretna
Hastings
Holdrege
Kearney
La Vista
Lexington
Lincoln
Madison
Minden
Norfolk
Omaha
Papillion
Sidney
South Sioux City
Waverly | Ohio
Akron
Canton
Cincinnati
Cleveland
Columbus
Dalton
Oklahoma
Oklahoma City |
| Colorado
Aurora
Colorado Springs
Denver
Englewood
Fort Collins
Greeley
Greenwood Village
Keenesburg
Connecticut
Stamford | Kansas
Kansas City
Manhattan
Topeka
Wichita
Winfield | Oregon
Ashland
Bellevue
Blair
Burwell
Columbus
David City
Elkhorn
Fremont
Grand Island
Gretna
Hastings
Holdrege
Kearney
La Vista
Lexington
Lincoln
Madison
Minden
Norfolk
Omaha
Papillion
Sidney
South Sioux City
Waverly | Oregon
Portland
Pennsylvania
Harrisburg
Lancaster
Lewisburg
Philadelphia
Pittsburgh
York
Zelienople |
| Florida
Boca Raton
Bonita Springs
Coral Springs
Fort Myers
Fort Lauderdale
Jacksonville
Orlando
Sarasota
Tampa
Trinity | Kentucky
Louisville | South Dakota
Dakota Dunes
Mitchell
Pierre
Ree Heights
Sioux Falls | South Dakota
Dakota Dunes
Mitchell
Pierre
Ree Heights
Sioux Falls |
| Georgia
Atlanta
Columbus | Louisiana
Lafayette
Mandeville
Monroe
New Orleans
Maryland
Easton
Germantown
Silver Springs | Texas
Dallas
Houston
Athens
College Station
Leander
Plano
San Antonio | Texas
Dallas
Houston
Athens
College Station
Leander
Plano
San Antonio |
| | Michigan
Detroit
Lansing
Potoskey
Traverse City | Utah
Alpine
Bountiful
Park City
Salt Lake City
Sandy | Utah
Alpine
Bountiful
Park City
Salt Lake City
Sandy |
| | Minnesota
Albert Lea
Andover
Bemidji
Burnsville
Eagan
Minneapolis
Northfield | New Jersey
Cranford
Franklin
Lakes
Morristown | Virginia
Roanoke
Washington
Edmonds
Issaquah |
| | Massachusetts
Boston
Yorck | New York
New York City
South
Hampton | Wisconsin
Eau Claire
Madison
Milwaukee |



My Commitment To A Unique Combination of Skills, Training and Experience is Key to What We Do For You.

Common Pitfall

Believing most regular Corporate and Estate Planning Attorneys have the experience or training to do all that's needed

Your Exit Planning Attorney or Family Enterprise Attorney should have the Training, Experience and Affiliations to handle what will be needed

	Corporate Attorney	Estate Planning Attorney	Asset Protection Attorney	Tax Attorney	Executive Benefits Attorney	ESOP Attorney	Succession Planning Attorney	M & A Attorney	Mediation Attorney	Exit Planning Attorney	Family Enterprise Attorney
Corporate Planning	✓									✓	✓
Estate Planning		✓								✓	✓
Asset Protection Planning			✓							✓	✓
Tax Reduction Planning				✓						✓	✓
Key Employee Retention					✓					✓	✓
Group Employee Ownership						✓				✓	✓
Succession Planning							✓			✓	✓
Company Sale								✓		✓	✓
Dispute Resolution									✓	✓	✓
Exit Planning										✓	✓
Dispute Avoidance										✓	✓
Leadership Development										✓	✓
Key Employee Ownership										✓	✓
Life Insurance Positioning										✓	✓
Business Profit Strategy										✓	✓
Business Valuation Protocol										✓	✓
Family Business Dynamics											✓
Family Dynamics											✓

"Why do so many Family Businesses fail?"

Family Business Leaders need to be aware of 3 mindset bias traps, which Neuroscientists have named:

- **"Optimism Bias"**: When we falsely believe our chance of experiencing a positive outcome is higher or a negative event is lower, than it actually is (i.e. "Bad things won't happen to me; these only happen to others").
- **"Confirmation Bias"**: The tendency to search for, interpret and recall information in a way that supports what we already believe.
- **"Illusion of Control Bias"**: The tendency to overestimate how much control you have over the outcome of uncontrollable events.

Perhaps these are key reasons Jim Collins, best selling author of such books as *Why The Mighty Fall* and *Good To Great*, could say: "I've concluded that there are more ways to fall than to be great."

Our Family Business Story

When we work with Family Business Leaders and other Trusted Advisors, we ask about your story and the story of your Family Business. We get to see the heart and soul of America's family entrepreneurs, that is, America's new breed of Family Business Pioneers.

We get to see your passion and your excellence. We get to see the grit and determination which drive you. We get to see the love and respect you have for your colleagues and for those you serve.

In short, we get to see the pioneer spirit which drives you and your team. Just as it has driven me and our team.

The first two Family Business Pioneers I learned from were my father, Ferd, Jr. and my grandfather, Ferd, Sr. Starting at age 8, they began teaching me about the family business interests in restaurants, supermarkets, real estate, manufacturing, warehousing, ranching, farming, and retail merchandising.



“Are We A Family Business?”

Yes—if Any Of These Apply

- | | |
|--|---|
| <input type="checkbox"/> Presently family owned with a family CEO or President | <input type="checkbox"/> In our Company Culture, we see all of our colleagues as family |
| <input type="checkbox"/> Family owned with a non-family CEO or President | <input type="checkbox"/> Presently owned by more than one family |
| <input type="checkbox"/> Already multi-generation | <input type="checkbox"/> More than one family member involved in Company Leadership |
| <input type="checkbox"/> Developing a possible family successor | <input type="checkbox"/> Intend to become multi-generation |
| <input type="checkbox"/> Intend for my family to own in the future | <input type="checkbox"/> Family owned now, but could sell to ESOP, outside buyer or employees |

Family Businesses = 90% of All U.S. Businesses

(U.S. Bureau of the Census)

Growing up on a small farm in Quincy, Illinois, and being a part of the Niemann Family Businesses, was the perfect setting to begin to learn the ins and outs of Family Business culture, leadership, spunk, grit, drive and commitment.

Not all was rosy. Over the years a number of our family businesses faltered and failed, while others succeeded incredibly well. The family supermarket business which my grandfather started in 1917, and which my Dad and his brother carried forward, is now a 4th generation family business which continues to thrive today, serving thousands of families throughout the Midwest.



Throughout my life, I've seen firsthand the devastation that happens to a community and families when companies stall or fail and jobs are lost. The opportunity to do something about it is what attracted me to McGrath North Law Firm in the early 1980s.

When a business succeeds, so do its employees and their families. This served as the mission for Ray McGrath and Jack North, who founded our firm

in 1959. This continues to inspire me and my colleagues at McGrath North as we work with community leaders and Family Business Pioneers to help create jobs and help build enduring industry-leading companies.

Now with over 70 attorneys deployed in over 80 practice areas, we are partnering with families, their businesses and their other Trusted Advisors in the U.S. to create incredible, lasting value.

For my part, I enjoy learning from the many Family Business Pioneers I am blessed to work with. I met my wife, Ann, then a nursing student, 47 years ago while attending Creighton University's College of Business. We enjoy passing on these family business values to our seven children and twenty-five grandchildren, as the next generation of pioneers take on tomorrow's many challenges and opportunities.

For more information about McGrath North's Practice Areas: visit www.mcgrathnorth.com



Business Leaders and their Trusted Advisors work with us because they get to know us, they like us and they trust us.

“What commitments to growing your business, legal and personal skills, experience, connections, knowledge and relationships uniquely positions you to help us achieve the outcomes we want?”

For Your Profitable Growth

- Working with Family Business Leaders/Pioneers on their Profit Plans.
- Raised and worked in several Niemann family businesses starting at age 8.
- Served on the Board of Directors and as co-owner of Niemann Foods, Inc.
- Taught the Business Model Profit protocol to over 100 business leader groups in the U.S. and Canada.
- Worked with over 1,200 Business Leaders on Business Model design and on how to set up their Profit Strategy Team.
- A graduate of CEO Space International.
- A graduate of the Business Model Strategyzer Program.
- Certified as a Leadership Coach by the John C. Maxwell Executive Leadership Program.
- Co-creator of the internationally acclaimed Business Model Generation program (introduced the world to the Business Model Canvas now being used by 5,000,000+ entrepreneurs and strategic planners).
- Designed Nebraska's business development platform (which has created over 100,000 new jobs and \$40 billion capital investment in 900+ business expansions).
- Trained in the leadership and business decision making techniques of Vistage International (the world's leading CEO peer group private advisory board organization).
- Vistage National Business Resource Speaker.

For Your Wealth Protection

- Working with Family Business Leaders/Pioneers on their Protection Plans.
- Selected to Best Lawyers in America® for Closely Held Companies and Business Organizations.
- Awarded the AV Preeminent national ranking for attorneys by Martindale Hubbell.
- Member of the American Bar Association.
- Member of the American Institute of CPAs.
- Selected to the Trusted Advisor Board for the Omaha CEO Boards of Vistage International.

For Your Lifestyle Continuity

- Working with Family Business Leaders/Pioneers on their Estate Plans.
- Member of the Family Firm Institute.
- Wrote the book on Estate Planning: “The Next Move For Families - An Estate Planning Guide For Parents and Grandparents”.
- Member of the Omaha Estate Planning Council.
- Have taught Estate Planning to attorneys, CPAs and financial advisors across the U.S.
- Served as Adjunct Faculty teaching Estate Planning at Creighton University Law School.
- Selected to Best Lawyers in America® for Family Business Law, Tax Law and Trusts and Estates.

For Your Personal Freedom

- Working with Family Business Leaders/Pioneers on their Family Enterprise, Succession and Exit Plans.
- Served as Member of the two leading Succession and Exit Planning Advisor Organizations in the U.S.: Business Enterprise Institute and Exit Planning Institute.
- BEI Exit Planning Masters Group.
- Vistage Family Business Network
- Have taught Family Enterprise, Succession and Exit Planning to other attorneys, CPAs and Financial Advisors across the U.S. and to CEOs from 40+ countries.
- “Lawyer of the Year” - Closely Held Companies and Family Businesses Law (Omaha), Best Lawyers in America®.
- “Lawyer of the Year” - Tax Law (Omaha), Best Lawyer in America®.
- Wrote the book on Succession and Exit Planning: “Fourth Quarter First - How Today's Family Business Pioneers Are Achieving Incredible Lasting Results”.
- Selected as the Face of Business Continuity and Succession Planning by Omaha Magazine.

Q&A

- **“Why are Business Leaders (and their Trusted Advisors) coming to you to work on their Family Enterprise and Family Business Game Plans (or Exit Plans)?”**

Business Leaders (and their Trusted Advisors) want to avoid “Train Wrecks.” They realize that significant risks exist to Business Leaders and to their families, loyal team and communities when their personal “Fourth Quarter” isn’t addressed in time. We don’t just talk about impact. These programs enable Business Leaders and their Trusted Advisors to make an impact on the many lives of those you care about.

- **“Why should this be effective for us?”**

Because we invest the time to ask the right questions and to listen carefully to what you value the most. Our business and professional experience, insights, affiliations, trusted strategies, understanding of Family Business dynamics, visual style, collaborative approach and proprietary system combine in a unique way to prioritize what’s important to you. This enables us to remove complexity, to get the job done right for you (or your Business client) and to avoid or overcome the frequent Family Business dilemmas. Together we discover what is really needed for your (or your client’s) Family and Company’s continued success.

“What if I don’t know how to start or just want a quick look at what kind of shape my Business (or my client’s Business) is in?”

See our Family Business Leader’s “QuickStart Action Plan” and invest 24 minutes to answer its 24 questions.

- **“You are an attorney. I (or my Business client) already have an attorney. Can my (or my client’s) regular Corporate or Estate Planning Attorney handle this for us?”**

As in other professions, more than a generalist is usually needed to best address Family Enterprise, Family Business and Exit Planning. A special combination of business strategic thinking, Family Business continuity, asset protection, succession, exit, company sale/ M&A and estate planning skills, training, experience, knowledge and mindset is recommended. This can be achieved by an Exit Planning Attorney or a Family Enterprise Attorney from many years of experience, as well as active involvement in such organizations as Vistage International, CEO Space International, Business Enterprise Institute, Family Firm Institute, Strategyzer, and Exit Planning Institute. Corporate and estate planning attorneys do not necessarily pursue all of this, but they do easily work with us when Family Business Leaders (or their Trusted Advisors) decide to add us to your Advisor Team. This is common practice amongst professionals.

- **“Do you have access to other professionals and funding resources which may be needed to help us achieve the results we want?”**

We have built a network of local, national and international professionals and funding resources who collaborate with us and our loyal clients. This helps provide the depth of additional talent, access and resources when necessary for a Business Leader’s personal “Fourth Quarter” success.

- **“How much time will this take?”**

Respect for your time is one of the reasons we systematized this into a process that can easily be prioritized, quarterbacked and coordinated (working together with your other Trusted Advisors).

- **“Are there certain Main Plays almost every Business Owner should deploy first?”**

Yes. From our [Profit Playbook](#) - The Profit Strategy Team. From our [Protection Playbook](#) - The Emergency Succession Plan. From our [Estate Playbook](#) - The Business Owner Estate Plan. From our [Succession Playbook](#) - The “House-In-Order” Checkup. This creates the necessary foundation to build on. And a Family Enterprise Game Plan to create the foundation for your Family.

“Is my (or my client’s) Company too small or too big for you?”

Our threshold isn’t size. It’s attitude (meaning mindset). We work with a wide range of small, middle-market and large companies whose Leaders (and whose Trusted Advisors) share our mindset about taking the actions needed to keep the promises they’ve made to themselves, and their families, colleagues, stakeholders, customers and communities.

- **“Do you agree to work with everyone who is referred to you?”**

No. Although the Trusted Advisors who recommend us to Business Leaders are normally very good at knowing we’ll be a fit for each other, we will each know this for sure only after we have visited.

“I am (or my client is) ready to sell the business now. Can you work with us?”

We work with family businesses, private companies, entrepreneurs, private equity groups, public companies, investment bankers, transaction intermediaries, business brokers, and others in a wide range of transactions. These include business purchases, business sales, joint ventures, ESOP transactions, spin offs, mergers, tender offers, recapitalizations, and reorganizations. Our M&A team has worked on transactions, both domestically (with transactions in nearly all 50 states) and internationally (with transactions in 6 of the 7 continents). We have worked on transactions ranging in size from a couple hundred thousand dollars to over two billion dollars. (Ideally, please call before you sign an agreement with an M&A Advisor or a Letter of Intent). Ask for our “Exit Readiness Playbook”.

- “What Key Direction Questions should we plan to discuss?”

1. **Who** - Who do you presently believe you will want to eventually transfer your business and duties to?
2. **What** - What part of the business (or businesses) do you presently believe you will eventually want to transfer or keep?
3. **Where** - Where are you taking your business to and then where will your next personal or business adventure be?
4. **When** - When do you presently believe you want to eventually exit or slow down from active duty and/or ownership?
5. **Why** - Why are you a business owner in the first place?
6. **How Much** - How much net cash-in-pocket do you presently believe you need or want to have when you eventually exit your business and how close are you to this goal?

- **“Do you work together with our Attorney, CPA, Financial/Insurance Advisor and other Trusted Advisors?”**

Yes. More than ever before, professionals from different firms are combining their unique talents to achieve incredible results. Collaboration is the key. Teamwork creates the best solutions. Our programs have been carefully designed to work in sync with your other Trusted Advisors (and, importantly, with any specific approach they may deploy as well).

- What if I have (or am) a non-attorney Exit Planning Advisor who will design the Exit Plan. Can you assist in implementing the Plan?”

I have been a member of both the Business Enterprise Institute and the Exit Planning Institute, so I know both of their Exit Planning systems. I easily plug in to handle the legal matters to be addressed.

- “How (and when) do I discuss this with my family, key personnel or client?”

A common question. We’ll work with you on this.

- “Do you have time to work with us?”

By being careful in deciding who we agree to work with, my team and I have the time to work closely with the loyal Business Leaders and their Trusted Advisors who have placed their trust in us.

- “What should I do next?”

Either the Business Leader or Trusted Advisor can call to confirm we are clear to work together (e.g. no conflicts). We can then set up a confidential, no-obligation meeting or conference call. Our first meeting or conference call is to get to know each other and to begin to discuss critical questions. It is not a commitment by either of us to work together.

- “After we have visited, what will you want me to prepare or bring to the first meeting or conference call with me (or with my client)?”

Key Business Owner and Trusted Advisor. Your spouse is always welcome - your call. No other preparation for our first meeting or conference call is needed.

- **“I’m a Trusted Advisor for a Family Business. How do we discuss the possibility of working together? And can you provide me extra copies of this Guide to share with others?”**

Just call my direct line: 402-633-1489 (or email me).

My Personal Commitment Is To Share With You The Business Success And Innovation Strategies I've Learned From Other Business Pioneers . . .

...Thank you to all of the Business Pioneers who I have learned from - many of whom are pictured here.



Jim Collins
Best selling author of *Good To Great, Built To Last, How The Mighty Fall*, and *Great By Choice*.



John C. Maxwell
Ranked as the world's most influential leadership expert by Business Insider and Inc. Magazine.



Greg S. Reid
Founder and CEO of Secret Knock, ranked by Inc. Magazine as the #1 "Can't Miss" Business Program.



Sharon Lechter
Co-Author of the international bestseller *Rich Dad Poor Dad*. Best-selling author of *Think and Grow Rich - Three Feet From Gold*.



Kevin Harrington
Inventor of the Infomercial, Original Shark on ABC's Shark Tank and "As Seen on TV" Pioneer.



David Houle
Renowned Global Futurist. Author of *The Shift Age*.



Bernie Dohrmann
Founder and Chairman, CEO Space International, world's largest network for CEOs, Entrepreneurs and visionary investors.



Charles Van Kessler
Founder and CEO of Passion 4 Life Liquid Vitamins. Holocaust survivor.



Dina Dwyer-Owens
Co-Chair of the Dwyer Group. Featured in CBS's Emmy-winning hit reality show "Undercover Boss".



Frank Schankwitz
Co-Founder of Make - A - Wish Foundation. Featured in the movie Wish Man.



Dave Anderson
Founder of "Famous Dave's BBQ" Restaurants. Founder of The Life Skills Center for Leadership.



Cathy Fitzhenry
Omaha Chair-Vistage International, the world's leading CEO peer group organization.



James Malinchak
Founder of James Malinchak International. Featured on ABC's Hit TV Show "Secret Millionaire".



John Brown
Founder and CEO of Business Enterprise Institute, one of the country's leading exit planning organizations.



David Corbin
Inventor of the touch screen patient interview system. Awarded the International Enterprise of the Year for Innovation.



Gene McNaughton
President of Elite Concepts Business Growth Consulting. Previously the leader of Tony Robbins' Global Salesforce.



Maria Kang
Founder and President of Fitness Without Borders Charity. Creator of "The No More Excuses Diet".



Erin Saxton
Founder of eleven Communications. Led media strategy for "Chicken Soup For The Soul" series.



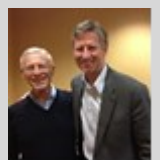
Gene Landrum
Co-Creator and Founder of Chuck E. Cheese.



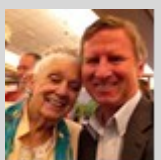
Evan Money
Bestselling author, Global Entrepreneur and Executive Producer of the groundbreaking film "Words of Art" starring Zig Zigler.



Bonnie Harvey
Co-Founder of Barefoot Wine, the world's largest wine brand, now owned by E & J Gallo.



Ron Klein
Inventor of the Credit Card Magnetic Strip and the Bond Quotation System for the New York Stock Exchange.



Dr. Gladys Taylor McGarey
Visionary, Pioneer Mother of Holistic Medicine.



Joe Theismann
NFL World Champion Quarterback, NFL Football TV Commentator, Business Entrepreneur.



Brian Smith
Australian Entrepreneur and Founder of UGG Boots.



Scott Duffy
Founder of Smart Charter, which he sold to Richard Branson's Virgin Group. Best selling Author of Launch!



Ross Halleck
Pioneer in the World Wide Web. Launched Netscape website. Founder of Silicon Valley creative service firm, Halleck, Inc.



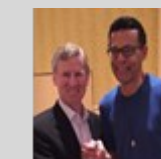
Dave Farrow
Founder and President of Wizardtech. Two Time Guinness World Record Holder for Greatest Memory.



Mario Andretti
Entrepreneur and Champion Race Car Driver. Winner Indianapolis 500. Named Driver of the Century.



George Campbell (aka - Joe Malarkey)
"The Worst Motivational Speaker in America!". Featured on the Hit TV Show "60 Minutes" and "To Tell The Truth".



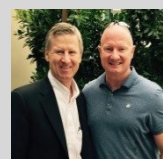
Gerry Foster
Founder of Big Brand Formula. Known worldwide as "The Brand Master." Former Procter & Gamble branding expert.



Josh Reynolds
Inventor of the Mood Ring & Thighmaster. R.J. Reynolds Tobacco Company heir.



Curtis Sliwa
Founder of the New York City Guardian Angels Safety Patrol. Now in 22 States and 20 Countries.



Matt Elledge
U.S. Army Colonel. Founder of the "Heroes Corporate Fellowship Academy" and the "Shifting Gears" programs.



Jonah White
Founder of the World Famous Billy Bob Teeth Company.

McGrath North

My Commitment Through The Teams We've Developed

SELECT ATTORNEYS FROM OUR FAMILY ENTERPRISE, FAMILY BUSINESS, TAX, AND ESTATE PLANNING TEAMS



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SELECT ATTORNEYS FROM OUR PRE-SALE / EXIT PLANNING AND BUSINESS SALE OR PURCHASE TEAMS

Pre-Sale/Exit Planning



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Your Trusted Advisors - Who Normally Introduces Us? - -And Why? -

Over the years many Trusted Advisors have been introducing us to the nation's Family Business Leaders to ask us to be part of the Team. Here are some examples of Who and Why:



Spouse	Parents	Business-Active Children	Children Not Active In The Business
You are often the Family Business Leader's most trusted Trusted Advisor. In many ways you have helped build the Family and the Business. You want to be certain that your spouse is carefully considering all possible options - especially as he or she approaches his or her personal "Fourth Quarter" of time in action.	You have a special interest in the continuity and legacy of the Family Business, especially if it originated or was passed along from you. You have seen the ups and downs and want to see your family's continued success.	You want to see the successful continuity of the Family Business as you work to earn the opportunity to achieve your potential and help assure a timely and smooth transition occurs.	You want to be sure the Family Business Legacy is secure and that the Family Business continues to peacefully stay strong for the benefit of the whole family.
Non-Attorney Exit Planning Advisor	Leadership Team	CPA	Personal Financial Advisor
The Business Continuity, Succession, Transition or Exit Plan which you have carefully designed for a Family Business Leader now needs to be implemented – typically with preparation of key legal documents, and you prefer an Exit Planning Attorney who has the same training you have dedicated yourself to.	You are interested and vested in the continuing success of the Family Business and your colleagues, and you are appreciative of the opportunities your Family Business Leader has brought to you.	Because of your own professional expertise, you are quick to realize when additional expertise is now needed for the good of the Family and the longevity of the Family Business	You've worked hard to grow the Family's personal investments. You don't want to see the Family Wealth diminish because of a slide in the Business or the lack of an effective Family Business Game Plan, Family Enterprise Game Plan, Estate Plan, Asset Protection Plan or Succession Plan.
Life and Disability Insurance Advisor	P&C/D&O Insurance Advisor	Family Business Consultant	Business Friend
In helping assure the Family has the right cash, at the right time, upon death or disability, you know the importance of positioning Life and Disability Insurance with the right policy ownership (e.g. Company, personal or trust), with proper Estate and Income Tax design features.	As a key advisor to helping assure that life's unexpected events (e.g. litigation or accident claims) are properly insured, you know that proper Company Structure and Asset Protection tools need to go hand in hand with policy coverages, limits and exclusions.	In identifying Family Peace, Collaboration, Leadership and Culture Strategies, you know these need implementation through appropriate corporate/legal approvals, policies and agreements with someone who understands Family Business Dynamics.	You have had your own experience with your own Business and want to see the same success for your friend.
Strategic Planner	Peer Group Chair or Member	Business Coach	Banker
You know your Strategic Planning initiatives won't be effective without proper Leadership Team alignment and retention and proper Company Structure to achieve optimal Business Model design, pivots and execution.	As the Chair or Member of a Peer Group, you are typically quick to see what's missing and what's needed for long-term Business Continuity for the Family Business colleagues in your Group or on your Board.	You recognize that your efforts to improve the effectiveness of the Family Business Leaders you work with will only bear fruit if those Leaders are operating in a Business that is well-designed for future growth and continuity	As a Commercial Loan Officer or Relationship Manager, you understand the importance of a solid Business Model, Leadership Team and Company Culture for achieving predictable company cash flow and debt service, as well as the need for careful Owner and Lender transitions.
Deal Maker <small>(Investment Banker, Transaction Intermediary, M&A Advisor or Business Broker)</small>	Corporate Attorney	Leadership Consultant	Trust Company
You have been engaged to go-to-market to sell a very viable company, and you want an attorney experienced in helping establish the deal terms and handling the deal documents. Or, you have a prospect which isn't yet ready to go-to-market, which needs our Exit Readiness Playbook.	You have represented your client well for many years on various corporate legal matters and you recognize the new need to now bring in additional experience to work with you on your client's Family Enterprise Game Plan or Family Business, Succession, or Exit Planning or Company Sale.	You know that leadership talent and skills can be developed. And you know the importance of fit and alignment. These are key to our Family Enterprise and Family Business Planning.	You have become the Corporate Trustee of a Trust which holds ownership of a Family Business, which you recognize as a fiduciary, has various Family Enterprise, Family Business, Succession and Exit Planning matters which now need to be addressed to preserve and grow value.
Board of Directors	Business Appraiser	Business or Industry Association / Chamber of Commerce	Estate Planning Attorney
You serve on a Board of Directors and, as part of your efforts to help guide the Company, as well as to fulfill your Fiduciary Duties, you recognize that the Owners have various Family Enterprise, Family Business, Succession and Exit Planning matters that need to be addressed to preserve and grow value.	In the course of doing a Business Appraisal, you recognize the opportunity for a stronger valuation if certain Business Model pivots and Family Enterprise, Family Business, Succession and Exit Planning actions are deployed.	You recognize the need for your Members to specifically address and deploy thoughtful Business Model pivots and Business Continuity measures, for the strength of your Members, your Association and your Community.	You have designed a beautiful Estate Plan for your Business Owner client and you recognize the new need to bring in additional experience to now work with you on your client's Family Enterprise, Family Business, Succession, or Exit Planning or Company Sale.

FAMILY BUSINESS LEADERS

Results Not Wanted



Results Wanted



Results Achieved By



What Is The Financial + Personal Cost of Being Too Late or Out of Time?

What Is The Financial + Personal Value of Each Great Play Deployed In Time?

Inspired By Excellence. Committed To Your Success.

When we work with Family Business Leaders, we ask about your story and the story of your Family Business. We get to see the heart and soul of America's Family entrepreneurs, that is, America's new breed of Family Business Pioneers.

We get to see your passion and your excellence. We get to see the grit and determination which drive you. We get to see the love and respect you have for your colleagues and for those you serve. In short, we get to see the pioneer spirit which drives you and your team. Just as it has driven me and our team.

For over 60 years we have been working with our nation's food companies, restaurants, farmers and ranchers to feed people better. We have been working with contractors and companies to build better and more affordable homes and new business facilities.

We have been working with technology companies to develop new ideas that improve lives. We have been working with inventors, startup companies and health care providers to develop patented medical devices, leadership teams and joint ventures that save lives. We have been working with energy companies to help fuel our homes and the businesses we all rely on.

We have been working with bankers, key partners, manufacturers,

distributors, retailers and transportation companies to finance, produce and deliver better products and services to communities around the world. We have been working with Family Business Pioneers and their other Trusted Advisors to transform, grow, carry on and transition the Family Business Dream, the backbone of our great country.

We have been working with our community leaders to improve our cities and our schools. We have been working with our elected leaders to improve the business climate to create and attract new and better jobs for Families.

For over 60 years, this has been the McGrath North Law Firm.

Working quietly behind the scenes closely with the talented leaders of great organizations around the world to make lives better.

Working together. Working stronger. Working faster. Working better. Overcoming Roadblocks. Avoiding Train Wrecks.

Inspired by Excellence. Committed to your Success.

Our diverse team isn't waiting for the future. We are helping to produce new, incredible, sustainable results right now.

We invite you to join us as we move quickly ahead towards the next 60 years.



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Exit Planning Attorney
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www.TheFamilyEnterpriseInitiative.com

Membership Experience with:
Vistage International Family Business Network
Family Business Advisors Alliance
Family Firm Institute
CEO Space International
Business Enterprise Institute
Exit Planning Institute

Maxwell Leadership
Strategyzer AG
Secret Knock
Harvard Virtuous Leadership

Our Vision (Ultimate Goal)

That every Family and Family Business we serve will build a lasting Family Enterprise of generational wealth, leadership, and legacy.

Our Culture & Code of Conduct

- Tenacity—We never give up on Families.
- Respect—We honor both tradition and innovation.
- Trust—We earn and safeguard trust in every relationship.
- Enthusiasm—We bring energy and optimism to every challenge.
- Courage—We face difficult issues with clarity and resolve.
- Generosity—We offer our best ideas and efforts.
- Compassion—We remember that Family is always at the heart.

Our Mission (Why, What and How)

We "look into the future" with Family Business Leaders and your Trusted Advisors to discover, decide and deploy what's missing and still needed for you, your family, and your colleagues to achieve the full greatness of the Family Business Dream.

Our Mission Mindset

- "Begin with the end in mind."
- "Start with simple. Only add what's needed."
- "Go for great. Don't wait for perfect."
- "All plans are firm...until changed."