

# New Guidance From Department Of Labor Concerning Future Overtime Regulations

The Department of Labor (DOL) last month issued a Notice of Proposed Rulemaking related to the overtime provisions of the Fair Labor Standards Act (FLSA).

While this notice is simply a proposal and does not necessarily reflect the final version of the rule, the notice provides a good indication of the likely changes to the FLSA that employers can expect in the future.

Employers may recall that in 2016 the DOL issued a final rule that would have increased the threshold salary requirement for the white collar exemptions under the FLSA. The 2016 rule, which would have doubled the requisite salary, was enjoined by a federal court and never enforced. The new proposed rule would increase the salary threshold from its current level of \$455 per week to \$679 per week. This change would result in an increase of the annual required salary to \$35,308. The DOL estimates that this increase will result in nearly a million more individuals being eligible for overtime pay under the FLSA.

In addition to proposing an increase to the salary requirement for exemptions, the proposed rule also includes an increase of the total compensation requirement for highly compensated employees



Anne Chapman  
Labor & Employment Law

from its current level of \$100,000 to \$147,414. Likewise, the rule further provides that as much as 10 percent of an employee's salary for purposes of meeting either salary basis test can be from non-discretionary bonuses (i.e. compensation tied to productivity, profitability, etc.) and/or commissions.

While the rule includes language related to a periodic review of the salary threshold, it does not provide for automatic adjustments. The DOL comment period for the proposed rule is currently open, and members of the public may submit comments concerning the proposed rule to the DOL at [www.regulations.gov](http://www.regulations.gov) until May 21, 2019. After the comment period ends, the DOL will consider the public comments before issuing its final rule.

Given the past statements of the current secretary of the Department of Labor, along with the fact that the FLSA's salary thresholds have not been increased since 2004, it appears highly likely that the final rule will include an increase in the salary requirements. Therefore, employers should evaluate their exempt employees to determine if changes will need to be made by either increasing an employee's salary or changing the employee's FLSA status to non-exempt.

For additional information or questions regarding labor and employment, please contact **Anne Chapman** at [achapman@blalockwalters.com](mailto:achapman@blalockwalters.com). ■



**BLALOCK  
WALTERS**  
ATTORNEYS AT LAW

**2** A Message From the Managing Partner  
List Of Our Attorneys

**7** A Simple Succession Planning  
Tool For Single-Member LLCs

**10** Blalock Walters Making a Difference

**4** Is Your Real Estate Commission  
a Violation Of Antitrust Laws?

**8** Barnebeys' Gift Strengthens FSU Depart-  
ment Of Urban and Regional Planning

**14** About Us

**6** Why Do I Need a Will When I Am Only 21?

**9** Behind The Suit With  
Jenifer Schembri

**15** Employee Wellbeing Program

## OUR ATTORNEYS



**BLALOCK  
WALTERS**  
ATTORNEYS AT LAW

WE MAKE A DIFFERENCE

### Mark Barnebey

Land Use, Mediation;  
Florida Board Certified in City,  
County & Local Government Law

### Anthony Bartirome

Estate Planning, Tax Law

### Robert Blalock

Banking, Business,  
Estate Planning, Real Estate Law

### Ann Breitingner

Business, Health Care Law

### Anne Chapman

Labor & Employment Law

### Gregory DeMeuse

Real Estate Law, Land Use

### Kristen Ehrlich

Estate Planning, Tax Law

### Dana Carlson Gentry

Florida Board Certified in  
Wills, Trusts & Estates

### Alexander John

Business, Health Care Law

### Charles Johnson

Business Litigation

### Matthew Lapointe

Business, Health Care Law

### Mary LeVine

Appellate Practice,  
Business Litigation

### Jason Levy

Business, Health Care Law

### Melanie Luten

Business, Real Estate Law

### Fred Moore

Florida Board Certified in  
Business Litigation

### Stephen Perry

Banking, Real Estate Law

### Matthew Plummer

Banking, Real Estate Law,  
Local Government, Land Use

### Marisa Powers

Business Litigation,  
Labor & Employment Law,  
Local Government

### William Robinson

Florida Board Certified in  
Real Estate Law

### Scott Rudacille

Land Use, Real Estate Law;  
Florida Board Certified  
in City, County & Local  
Government Law

### Jenifer Schembri

Business, Estate Planning;  
Florida Board Certified  
in Tax Law

### Matthew Staggs

Business, Real Estate Law

### Robert Stroud

Business, Real Estate Law;  
Florida Board Certified in  
Health Care Law

### Amanda Tullidge

Banking, Real Estate Law

### Daniel VanEtten

Business Litigation

### Clifford Walters

Business, Estate Planning,  
Real Estate Law

# A Message from the Managing Partner

MATTHEW R. PLUMMER



## 2019 and the Year Ahead

I can't believe we are almost half way through 2019; the year seems to be flying by.

By way of hands, how many of you are still adhering to your New Year's resolution? I can tell you my work-out goal was out the window in January, so please do not comment on my lack of stamina when you see the Blalock Walter's Soccer Team in action.

However, I am pleased to report that as we started the year, there was a renewed focus on maintaining the firm culture and client-oriented approach that has guided this firm over the last 90 years, and I believe we have maintained that focus to date. We have placed an increased emphasis on teamwork, accountability and responsiveness, and my belief is that if you have interacted with us during the start of this year, that you have seen this renewed focus on full display. Now more than ever, in this contentious and ever-changing world, we want to make sure that we are there to assist in the challenges that may arise.

In addition to maintaining this focus, as we head into the second half of 2019, we are re-doubling our efforts to make sure we are on the cutting edge of the latest legal principles and technological advancements in the legal field. We continue to focus on enhancing our depth in our core practice areas, and are excited that our geographic reach continues to expand with our enhanced presence in both Sarasota and Manatee County.

With our core of seasoned attorneys and continued development of our young associates, we are ready to adapt and assist in 2019 and beyond. And who knows, maybe I can get a mulligan on my New Year's resolution.

To contact **Matt**, please call 941. 748.0100 or email [mplummer@blalockwalters.com](mailto:mplummer@blalockwalters.com). ■



Matthew Plummer  
Managing Partner





BLALOCK WALTERS  
**REVIEW**

**Address Change?**

To update your contact information or add a co-worker or friend to this newsletter mailing list, please contact Marketing Director Jill McGarry at 941.748.0100 or email her at [jmcgarry@blalockwalters.com](mailto:jmcgarry@blalockwalters.com)



Jill McGarry  
Marketing Director

941.748.0100 941.745.2093 (fax)  
[www.blalockwalters.com](http://www.blalockwalters.com)

**BRADENTON**

802 11th Street West, Bradenton, Florida 34205

**SARASOTA**

2 North Tamiami Trail, Suite 400, Sarasota, Florida 34236

**TAX DISCLAIMER:** Our firm provides the information in this Newsletter for general guidance only, and it does not constitute the provision of legal advice, tax advice, accounting services, investment advice, or professional consulting of any kind. The information provided herein should not be used as a substitute for consultation with professional tax, accounting, legal, or other competent advisers. Before making any decision or taking any action, you should consult a professional adviser who has been provided with all pertinent facts relevant to your particular situation. Tax articles in this Newsletter are not intended to be used, and cannot be used by any taxpayer, for the purpose of avoiding accuracy-related penalties that may be imposed on the taxpayer.

To ensure compliance with Treasury Department regulations, we advise you that, unless otherwise expressly indicated, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or applicable state or local tax law provisions or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein. This publication is not intended as legal advice, which may often turn on specific facts. Readers should seek legal advice before acting with regard to the subjects mentioned herein. Citations omitted due to space limitations but available upon request.

**AFFILIATIONS AND HONORS**

The information in this newsletter is not intended as legal advice, but rather as a service to our clients, friends and other Internet users. If you have questions about any of the information contained in the newsletter, please contact an attorney for a consult. Please keep in mind that contacting us by itself does not establish an attorney-client relationship. Therefore, you should not convey any confidential information to us until a formal attorney-client relationship has been established after our thorough conflict of interest procedures have been completed. We welcome your inquiries, but please keep the above information in mind, as well as the fact that electronic mail on the Internet is not secure in most instances. Accordingly, you should not send confidential or sensitive information in e-mail messages. Thank you for your interest in Blalock Walters.

## Will Robinson Elected To Florida State House Of Representatives

**W**ill Robinson, real estate law principal, was elected in

November to the Florida House of Representatives, representing District 71.

Will continues his law practice with Blalock Walters while working hard and advocating for policies that "keep Florida moving forward."

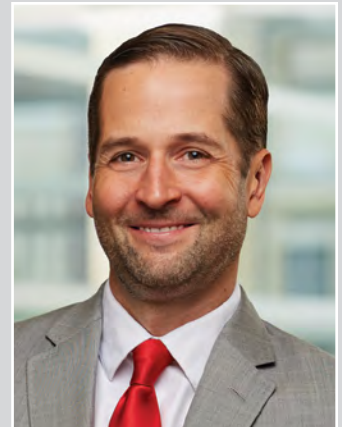
Will is a Manatee County native with a long history of serving our community. He is former board chair of Meals on Wheels PLUS of Manatee, and served on the Manatee Chamber of Commerce board of directors. He currently serves on the Lakewood Ranch Medical Center board of governors, is a graduate of Leadership Manatee and Leadership Florida, and supports numerous local non-profit organizations.

He was born in Bradenton and attended University of Notre Dame and Stetson University College of Law. Will is an avid runner who has completed two Boston Marathons and two Ironman races.

Representing the state's 71st House district, which includes parts of Manatee and Sarasota counties, Will's current committee assignments include the following:

- Agriculture & Natural Resources Subcommittee
- Commerce Committee
- Criminal Justice Subcommittee
- Gaming Control Subcommittee
- Higher Education Appropriations Subcommittee

**Congratulations Will Robinson. We are proud of you.** ■



William Robinson  
Florida Board Certified in  
Real Estate Law



Will Robinson is sworn in as a new House member in November 2018

# Is Your Real Estate Commission a Violation Of Antitrust Laws?

*What do General William Tecumsah Sherman and Senator John Sherman have in common? Both of their legacies may include great pain in the Southern real estate market.*

BY DANIEL P. VANETTEN, ESQ.

*Are real estate associations, brokers and agents violating antitrust laws, thereby exposing themselves to the threat of litigation and possible liability, through their commission structure?*

A home seller recently filed a lawsuit in the United States District Court for the Northern District of Illinois claiming that such antitrust violations have injured him. Before dismissing this as a problem for our northern brethren, two important aspects need to be considered.

First, the seller has filed his lawsuit as a class action. Second, the seller has alleged that other class members who were harmed include sellers in Florida regions including Sarasota, Tampa, Orlando, Fort Myers and Miami. Accordingly, this lawsuit, if successful, may have a substantial impact on local real estate transactions and may open the door to future litigation against local real estate brokers and agents.

## What are Antitrust Laws?

Before delving into the substance of the recently filed lawsuit, a brief overview of antitrust laws is in order. **The crux of American antitrust laws is the federal Sherman Act.** Under the relevant section of the Sherman Act, an individual or entity may be liable if there is an agreement which unreasonably restrains competition and which affects interstate commerce.

To help enforce the Sherman Act, Congress gave power for individuals to bring claims directly for violations. Further, individuals are able to sue not only for their actual damages, but for treble damages and attorneys' fees. The specter of treble damages and paying for the other side's attorneys' fees is a strong incentive for would be violators to comply with the Sherman Act; however, it also creates a strong incentive for plaintiffs and their attorneys to file lawsuits at the mere hint of a possible violation.



Daniel VanEtten  
Business Litigation

## The Current Lawsuit

The current lawsuit was filed by Christopher Moehrl, on behalf of himself and all others similarly situated, against The National Association of Realtors; Realogy Holdings Corp.; Homeservices of America, Inc.; Re/Max Holdings, Inc. and Keller Williams Realty, Inc. ("Moehrl"). The style of Moehrl has two important takeaways. First, this lawsuit has been filed against some of the biggest names in the real estate industry. Second, this is a class-action lawsuit.

In Moehrl, the plaintiff has alleged that the defendants have violated the Sherman Act by conspiring to require home sellers to pay the buyers' brokers' commissions and to make these

payments at an inflated amount.

More specifically, the plaintiff has alleged that the defendants have adopted and implemented a rule that requires all seller brokers to make a blanket, non-negotiable offer of buyer broker compensation when listing a property with the Multiple Listing Service.

In essence, the plaintiff claims that the traditional six percent commission, which is shared between the seller's real estate agent and the buyer's real estate agent, is substantially above what would be found in a competitive market. As part of these allegations, the plaintiff has alleged that all of the brokers and agents were parties to this conspiracy.

## Prior Challenges to the Current Commission Structure

It is important to note that this is not the first time, nor even the first time this decade, that the current real estate commission structure has been challenged.

In 2014, the United States Sixth District Court of Appeals reviewed a class action suit which had alleged that the business practices of Kentucky-based real estate brokers and agents violated the Sherman Act. Like Moehrl, the sellers in this case claimed, for a number of

reasons, that the six percent commission, split between the seller's and buyer's agent violated the Sherman Act. In this case, the Court found that the sellers failed to meet their burden of proof. However, the court's ruling did not explicitly state that the type of behavior engaged in by the agents in this case was not a violation of the Sherman Act, but rather that the sellers merely failed to prove such a violation occurred.

### **Current and Prior Lawsuit Compared**

Moehrl is distinguishable from the previous lawsuit for several legal and practical reasons, including:

1. The Plaintiffs in Moehrl are armed with data that allegedly proves that in a competitive market the commission charged would be lower than the customary six percent;
2. The fact that technological shifts during the past few years have greatly reduced the commission charged in many other industries, while in the real estate industry these technological shifts have done nothing to change the commission charged; and,
3. Arguably, the law firms spearheading the plaintiffs' lawsuit in Moehrl have a proven track record for success in class action lawsuit of this nature and magnitude.

As such, the plaintiff in Moehrl may succeed where previous lawsuits have failed.

### **Further Risks to Brokers and Agents**

Real estate brokers and agents who believe that Moehrl is only a risk to the major real estate associations may be taking an ostrich-like approach to this matter because there is potential risk to even small brokers and individual agents.

Florida has statutes modeled after the Sherman Act, which individual sellers and smaller firms may be able to piggy back in state courts onto a plaintiff's victory in Moehrl. Of additional concern is that sellers may be able to slightly tweak the allegations contained in Moehrl into other

causes of action, such as breach of fiduciary duty, civil conspiracy, and unjust enrichment.

What's more, even buyers' agents may be at risk from their own clients who may allege that their agents breached their fiduciary duties by steering them towards sales that were aimed towards maximizing the agents' commission rather than those sales that were in the best interest of the clients.

### **To be an Ostrich or an Eagle**

Given the foregoing, it is important to ensure proper planning and responses are taken when faced with the risks discussed above. This process includes keeping a keen eye on:

- ✓ Enacting a proactive legal review of pricing and practices to eliminate or minimize possible antitrust claims;
- ✓ Updates in the status of the Moehrl lawsuit;
- ✓ Changes in client behavior and increased questions regarding commissions;
- ✓ Alternative business practices which can be swiftly implemented should the plaintiff in Moehrl prove successful;
- ✓ Threats from sellers or buyers who may see Moehrl as an opportunity to retroactively negotiate a lower real estate commission or claw back one already paid;
- ✓ Any lawsuit filed against you or your company patterned after the allegations in Moehrl.

To learn more, please contact call **Daniel VanEtten** at 941.748.0100 or email him at [dvanetten@blalockwalters.com](mailto:dvanetten@blalockwalters.com). ■





# Why Do I Need a Will When I Am Only 21?

*People of all ages need a will, because if you do not have one, the state statutes will decide which family members will receive your assets at your death and that decision should be yours*

BY DANA CARLSON GENTRY, ESQ.

Imagine you are in your late twenties, you have been happily married for five years and you have a home jointly owned. All your other assets are jointly held with your spouse or are payable to each other in the future and you plan in the near future to have (or already have) a child.

**I don't need a will. Only retired people need one of those documents, right?**

**WRONG.**

If you do not have a will, the state statutes will govern which family members will receive your assets (spouse, parents, siblings, cousins or others) depending on who is alive at your death. But wouldn't it be better to make that decision yourself?

Certainly you would want each other to have anything owned individually. Maybe you and your spouse have no children, but you have a favorite charity. If your spouse does not survive you, then other family members would take under Florida's intestacy law and your favorite charity will get nothing.



Dana Carlson Gentry  
Florida Board Certified in  
Wills, Trusts & Estates

If you don't have a will and your spouse has predeceased you, but you have a minor child, that child will eventually receive your assets. A guardian will have to be appointed, and without a will the child will get what is left at 18 years of age.

You can do two things with the will that makes this whole process easier. Designate who you would prefer to be the guardian of your child, and set up a testamentary trust to postpone outright distribution until a later time, such as 25 years, when the child is perhaps more mature.

Who you choose to be guardian of the person (if your spouse is deceased) until the child attains 18 years of age may be different than who you would choose to be guardian of the property and trustee for financial matters.

Further, a court will most likely not give preference to a family friend that you would like to use as guardian of the person, unless there is written evidence of that preference. As an only child married to another only child, choosing a friend who lived close to my children's grandparents was an important factor for my husband and me when our children were young.

If you don't have a will that specifies who you want to be trustee of a continuing trust for your minor child that would properly manage the funds for your child until distribution, then a court would decide who would manage the money until the child reaches 18.

Without the will, your child would get the entire balance outright at 18 (whether or not high school graduation has yet to occur). An 18-year-old, while legally an adult, may not yet be mature enough to handle substantial sums of money. Having a testamentary trust with a responsible older adult or corporate Trustee to manage the money until the child attains the age of 25 may be a more prudent decision.

**Wouldn't you rather make these decisions yourself, and perhaps postpone full distribution to a child until a more mature age than have a court make all these decisions for you?**

To learn more about wills, trusts and estate law, please contact call Dana Gentry at 941.748.0100 or email her at [dgentry@blalockwalters.com](mailto:dgentry@blalockwalters.com). ■



Matthew Lapointe  
Business, Health Care Law



Anthony Bartirome  
Estate Planning, Tax Law



***When the owner of a single-member LLC dies, his or her membership interest, like any other security, may be transferred by his or her will. But relying on a will to transfer the LLC membership interest is not very efficient.***

# A Simple Succession Planning Tool For Single-Member LLCs

BY MATTHEW J. LAPOINTE, ESQ. and  
ANTHONY D. BARTIROME, ESQ.

**It is very common for a small business to be organized as a single-member limited liability company.** The LLC affords liability protection to the owner without the formalities required by a corporation, such as annual minutes of shareholder and director meetings.

The owner of a single-member LLC owns 100% of the membership interests of the LLC. Membership interests of an LLC are a type of security, like stock in a corporation. Sometimes, LLC membership interests are represented by physical certificates, like stock certificates, but most of the time LLC membership interests are un-certificated.

When the owner of a single-member LLC dies, his or her membership interest, like any other security, may be transferred by his or her will. But relying on a will to transfer the LLC membership interest is not very efficient. It may take several months to navigate the probate process and then distribute the LLC membership interest to the heirs. Furthermore, the LLC's business operations may be on hold during the probate proceeding, which is administered through the local court.

**One way to avoid probate and to facilitate uninterrupted business operations is to utilize a "transfer on death" clause in the LLC operating agreement or on the LLC membership interest certificate.**

The Florida Uniform Transfer-On-Death Security Registration Act (Florida Statutes Chapter 711) allows an individual to name a beneficiary of his or her LLC membership interest upon death in the same manner as an individual can name a "pay-on-death" beneficiary of a bank account.

For a single-member LLC, the operating agreement could state that the member's LLC membership interest is to be transferred immediately upon death to a spouse, son or daughter, or other person. If there is no operating agreement, the membership interest could be certificated and the certificate issued to "X, transfer on death to Y." The transfer-on-death beneficiary will own the business immediately upon death and will have the immediate right to control the affairs of the business.

In the case of a small owner-operated business, the ability to have a quick transition to a new owner can be of vital importance. Most of the value in an owner-operated business is in goodwill. If the business cannot be transferred quickly this goodwill tends to dissipate and the longer it takes the less valuable the business becomes. If the goal is to sell the business upon the death of the owner-operator, a transfer-on-death clause will greatly increase the chances of doing so for the best possible price.

The transfer-on-death clause would also be useful in a family business where a son or daughter works alongside a mother or father. The business owner could name the child as the transfer-on-death beneficiary. The parent would retain ownership and control of the business while alive and instantaneously upon the parent's death ownership and control would vest in the child in a seamless transfer that avoids probate court.

The business attorneys and estate planning attorneys at Blalock Walters often collaborate to find the most efficient means of transferring business assets in the event of the business owner's death. If you have questions about succession planning for your business, please call **Matt Lapointe** or **Tony Bartirome** at 941. 748.0100. ■

# Barnebeys' Gift Strengthens Florida State University Department Of Urban and Regional Planning

Attorney **Mark Barnebey** and his wife Marianne made a generous gift to Florida State University's (FSU) Department of Urban & Regional Planning to support the newly renamed **Mark and Marianne Barnebey Planning and Development Lab and Studio** (nicknamed The Barn).

The lab and studio will provide resources that will allow faculty to continue to provide real-world planning project experience to students and support them as they provide meaningful and impactful guidance to the clients and communities they serve.

The FSU Department of Urban & Regional Planning (DURP) is well-known for the award-winning projects that students have completed. Student projects have received both state and national awards for work that has had a direct impact on the clients and communities they serve. Mark and Marianne's gift allows the department not only to keep up with other planning schools, but to greatly outpace them with respect to the tools and learning environment FSU offers its students. In turn, this gift will have a multiplier effect across communities throughout Florida and the nation.

"Marianne and I gave the gift to FSU DURP to help the department strengthen its leadership in sound and practical planning application throughout the Southeastern United States," said Mark Barnebey, who received his Master of Science in Planning and Juris Doctor degrees from FSU. "Florida, in particular, is a state of constant change and challenges, balancing urban development pressures with property rights of owners. With my service as a local government and land use attorney and my wife having served 14 years on the Bradenton City Council, we understand the importance of having well educated planners to provide sound advice and quality skills in this field. The planning lab provides a direct connection for the university to assist local governments and developers in creating superior plans and planning tools."

Mark explained that the planning lab and studio provides students with an opportunity to deal directly with local officials, developers and residents and helps them understand the various goals and con-

cerns that each group may have in preparing planning documents and development plans.

"For a successful planning effort, it is important for students to appreciate these dynamics and it is our hope the Planning and Development Lab and Studio will aid in students' efforts to becoming outstanding planners, developers, or government officials," said Mark.

To achieve the Barnebeys' goal of creating superior products for decision makers, students need an equally superior work space. The high-quality work environment, which the Barnebeys' gift makes possible, will position students to maximize the synergies afforded by access to the best available communications, computing and planning production technology.

Dr. Tim Chapin, dean, College of Social Sciences and Public Policy at FSU said, "Mark and Marianne's naming gift to support the DURP will help take this already strong program to greater heights. The newly named Mark and Marianne Barnebey Planning and Development Lab provides opportunities for students to hone the professional skills, while providing quality project-based work and planning services for communities throughout Florida. FSU is strengthened by the love and support of alumni and friends like Mark and Marianne."

Mark Barnebey is Board Certified in City, County and Local Government Law. He has practiced in land use and local government law for the past 30 years. He has successfully represented clients regarding a wide variety of development projects including multi-use projects, an arena, and a power plant. He served as the senior land use attorney for Manatee County for 13 years and as Manatee County School Board attorney or special counsel for another 12 years.

He currently serves as city attorney for the City of Palmetto and counsel for several special districts and agencies. He also has served as a mediator, special magistrate and hearing officer for various governmental entities on purchasing, land use, and other government aspects. **You can contact Mark Barnebey at 941.748.0100.** ■

## Mark and Marianne Barnebey Planning and Development Lab and Studio

Marianne and Attorney Mark Barnebey with their sons Christopher (left) and Matthew (right) at the ribbon cutting ceremony celebrating the opening of "The Barn," a lab and studio which will provide resources to Florida State University faculty and students for urban and regional planning projects.







# BEHIND THE *Suit*

## With Jenifer Schembri



**Jenifer Schembri is a business and estate planning attorney who is Florida Board Certified in tax law.**

**What was your first job?** My first job was working on a horse farm. I took care of horses—groomed them, cleaned stalls and worked on keeping the barn maintained.

**Favorite band?** The Bee Gees

**What motivates you to work hard?** My clients are my biggest motivation. I strive for always having their best interests at heart, having attention to detail in my work and having integrity in what I do. I am most motivated when my clients are satisfied and feel valued. That is my greatest sense of accomplishment.

**Who is your favorite cook and what dish do you like best?** My husband...because he's the only cook in our house! Everything he makes is great, but my favorite dish is his sausage and peppers.

**If you were a super-hero, your powers would be...** Super Speed! Because I spend at least two hours in the car commuting to work each day, I would love to get to my destinations quickly.

**What has been your favorite vacation? And what destinations are on your bucket list?** My favorite vacation was going to Seattle because it's an interesting, fun and unique city. We have friends there that we enjoy visiting. On my bucket list are going back to San Francisco and visiting family in Colorado. I've never been to Hawaii and would love to see the beaches and volcanos.

**On the weekends, I...** spend time with son and husband, work on our horse farm, ride horses, and show Appaloosa horses at shows nationwide.

**The most unusual thing I've ever eaten was...** venison, which is unusual to me. It wasn't terrible, but it's not on my list of favorite menu items.

**If you had a warning label, what would it say?** I AM VERY OBSERVANT – if you're working for me, you're working! INTENSE AND

DEMANDING – let's get things done! With that said, I am a hard worker and I would never ask anyone to do something I wouldn't do.

**What is your proudest accomplishment?** Raising my son, Alex.

**What is your favorite childhood memory?** Traveling around the country with my parents going to horse shows... and missing a lot of school doing that. I started riding horses when I was less than a year old. I was the youngest exhibitor at the 1973 Appaloosa National Championship Show in Shelbyville, Tennessee.

**Interesting fact:** I am 46 years old and have been to 46 Appaloosa World Championship Shows.

**What do you do to relax?** I don't, much to the chagrin of my husband.

**Describe yourself in three words:** busy, productive and supportive. ■



Julian and  
Jenifer Schembri



# Making a Difference...



Ann Breitingner, Amanda Tullidge, Marisa Powers, Kristen Ehrlich

## Pearls, Polos and Ponies For Cheers For Charity

Over 100 supporters attended Cheers for Charity's 2nd Annual Pearls, Polos & Ponies fundraiser at Sarasota Polo Grounds, resulting in \$2,800 being raised for local nonprofits. **Annie Breitingner, Amanda Tullidge, Marisa Powers and Kristen H. Ehrlich** are members of Cheers for Charity, the dynamic local women's giving circle who give their time and resources for charitable purposes. Since the group's inception in 2015, they've grown to over 35 young professional women members and have raised and donated over \$36,000. ■

## Robert and Emily Stroud Support Marie Selby Botanical Gardens' 38th Orchid Ball

Celebrating its 38th year, the Orchid Ball is a highlight of the Sarasota social season. The Marie Selby Botanical Gardens' 2019 Orchid Ball, Gauguin's Sunset in Paradise, took place on the Gardens' Great Lawn.

More than 500 guests, adorned in tuxedos and sunset-inspired gowns, experienced the opening night of *Gauguin: Voyage to Paradise* with an exclusive preview of the dynamic horticultural interpretation within the Conservatory, the Museum of Botany and the Arts, and Gardens' grounds.



**Emily Stroud**, wife of business and health care law principal **Robert Stroud**, served as co-chair of the event. Proceeds from the Orchid Ball support Selby Gardens' community education programs, international research, conservation and beautiful world-class horticulture displays. ■



Martin Forbes, Matt Plummer, Nicole Plummer, Greg DeMeuse and Dan VanEtten



Anne Chapman and Chuck Johnson



Lisa and Fred Moore



Nicole and Matt Plummer

## Bradenton Area Economic Development Corporation Celebrates 31st Annual Hob Nob Bar-B-Que

The Blalock Walters team hosted a booth at the Bradenton Area Economic Development Corporation's 31st Annual Hob Nob Bar-B-Que. We enjoyed networking with new and familiar faces, supporting

local businesses and restaurants and serving delicious pulled pork, cooked to perfection, by Pier 22. ■





Melanie Luten, Matthew Staggs, Matt Plummer, Dana Gentry, Robert Stroud, Alex John and Anthony Bartirome

Olympic gold medal winner Scott Hamilton talks about surviving testicular and brain cancer. Photo by Adam Cromie.

## Olympian Featured At Tidewell Hospice Annual Signature Luncheon

**B**lalock Walters is a proud supporter of Tidewell Hospice and sponsored its annual Signature Luncheon.

Each year, Tidewell has featured many inspirational keynote speakers and this year, the organization welcomed Scott Hamilton during a sold-out crowd at Ritz-Carlton Sarasota. While his claim to fame may have been his Olympic Gold medal in world figure skating, Hamilton

has become a motivational speaker, author and humanitarian. He has survived testicular cancer and three rounds of brain cancer.

Despite the hardships he has gone through, he continues to bring light to any circumstance. He lives by the motto of, "no matter what our unpredictable lives give us, always look for the positive and stay hopeful." ■



Take Stock in Children Board Vice Chair Mark Barnebey (navy shirt) with board and staff members, the director of the state TSIC and the Palmetto High Spirit Team after 5K Space Race.

## Profits From 10th Annual 5K Space Race Benefit Non-Profit Take Stock In Children of Manatee

**I**n celebration of serving children in Manatee County for 10 years, Take Stock in Children (TSIC) held its 10th Annual Take Stock 5K Space Race. Runners took the streets of Lakewood Ranch and enjoyed a post-race party with food, entertainment, awards and kids' activities.

All proceeds from this event benefit Take Stock in Children of Manatee County, a non-profit organization that helps deserving children

achieve academic and personal success by providing mentoring programs and college scholarships. Land use and local government attorney **Mark Barnebey** has served on the board of directors since 2015 and business & health care attorney **Matthew Lapointe** serves as a mentor to a student at Braden River High School. ■





Above Executive Director Susie Bowie of the Manatee Community Foundation during the annual Spirit of Manatee Awards luncheon.

Jill McGarry and Jenifer Schembri (bottom row) and Anthony Bartirome, Chuck Johnson, Matt Lapointe and Dana Gentry support the Manatee Community Foundation.



## Annual Spirit Of Manatee Honors Courage, Hardwork Of Award Winners

Congratulations to the winners of the annual Spirit of Manatee awards. The Manatee Community Foundation honors individuals and organizations that embody the philanthropic spirit of Manatee County. Each winner is presented with a beautiful glass award and the opportunity to address the sold-out crowd of 400 at Bradenton Area Convention Center.

Attorney **Anthony Bartirome** is former president of the foundation's board of directors and **Lisa Johnson**, wife of litigation principal **Chuck Johnson**, serves as current board chair.

"Blalock Walters and its philanthropic culture have not only been instrumental in the work of Manatee Community Foundation since the very beginning in the late 1990's, but the company's model of community engagement is an example we proudly share with donors, leaders and other small businesses we have an opportunity to work with," said Manatee Community Foundation Executive Director Susie Bowie.

This year's Spirit of Manatee Awards Luncheon was about possibilities. Each honoree has shown courage and resolve to do the hard work, making new buildings come to life that give under-served youth a

chance to thrive, ensuring families that their children will have food on the table, educating residents and visitors about our environment, giving life to our community through the arts, and making higher education a reality for all people.

### Lifetime Spirit Award: Steve and Sara Bayard

Nominated by Manatee Performing Arts Center

### Leadership Spirit Award: Caleb Grimes

Nominated by the Boys & Girls Clubs of Manatee County

### Community Spirit Award: Dex Imaging

Nominated by Mote Marine Laboratory

### Young Spirit Award: Mina Quesen

Nominated by UnidosNow

**Charles Clapsaddle Community Spotlight Award: Luz Corcuera,**  
Executive Director, UnidosNow

We salute each of the honorees for "making a difference" as they support the quality of life that everyone in our community deserves and inspires others to do the same. ■

## Kristen Ehrlich Volunteers For Equality Florida

Equality Florida, an organization striving to secure equality and justice for Florida's LGBTQ community, hosted a booth at the Manatee County Pride Festival.

Tax law attorney **Kristen Ehrlich** volunteered her time collecting pledges and educating attendees about the prospective Competitive Workforce Act, which calls for all Floridians to receive inclusive nondiscrimination protections in housing, employment and public accommodations. ■





# Blalock Walters Supports Manatee Habitat For Humanity Throughout the Year

**E**veryone deserves a decent place to live. No matter who we are or where we come from, we all deserve to have a decent life, to feel strength and stability day after day, and to know we have the power to take care of ourselves and our children. We support Manatee Habitat for Humanity in their mission to build strength, stability and self-reliance through shelter.

Blalock Walters sponsored the Manatee Habitat for Humanity International Women's Day luncheon at The Grove in Lakewood Ranch. International Women's Day celebrates the economic, political and social achievements of women past, present and future. This special event highlighted the achievements of empowered women and celebrated their impact on quality of life locally and globally.

The two keynote speakers, Teresa Mast and Yesenia Garcia-Lorenzano, are women of incredible resilience, strength and dedication to the community.

Our support of Manatee Habitat for Humanity continues throughout the year. Our real estate department provides Manatee Habitat assistance with residential property acquisition as well as commercial

leasing, and most importantly, facilitating the financing mechanisms and conducting the closing services that enable Habitat for Humanity to provide affordable housing to worthy homeowners.

"Helping new Habitat homebuyers receive the keys to a house they've always dreamed of owning is incredibly rewarding," said real estate attorney **Greg DeMeuse**. "The sincere appreciation from Habitat for Humanity and all the participants in their program is so gratifying."

Additionally, **Jill McGarry**, Blalock Walters marketing director, serves on the Habitat for Humanity board of directors and is chair of their marketing committee.

If you are interested in volunteering for Manatee Habitat, there are many ways to help their mission of making affordable housing a reality for hard-working families in Manatee County. From helping on the build site or at the ReStore, whatever your experience, stage of life, skill-set or passion, there is a volunteer opportunity for you. **Contact Crystal Frazer, Habitat Community Outreach Manager, at [cfraser@manateehabitat.org](mailto:cfraser@manateehabitat.org) or (941) 748-9100 ext. 116 to learn more.** ■



From the left, Roger Arnholt, Jill McGarry, Diana Shoemaker, Greg DeMeuse and Sheryl Boddy at the Habitat For Humanity fundraiser.



Teresa Mast has broken the stereotypical boundaries by owning and running her own construction company in a male-dominated industry for 26 years. She is a woman of incredible resilience, strength and dedication to the community.



Yesenia Garcia Lorenzano (holding award) received the Manatee Habitat for Humanity Achievement Award 2019 and is pictured here with her co-workers from Step UP Suncoast.

Step UP Executive Director Barbara Patten is left of Yesenia and Habitat Executive Director Diana Shoemaker is on the far right.



WE MAKE A DIFFERENCE

# About Us...



## Tax Attorney Kristen Ehrlich Serves On Qualified Opportunity Zone Panel

**T**ax law attorney **Kristen Ehrlich** served on a panel discussing Qualified Opportunity Zones in Manatee County. She joined representatives from Manatee County Government, City of Bradenton and Carr, Riggs & Ingram, LLC at an event showcasing how our community can benefit from this new tax law, how to invest and where investments can be made.

In attendance were real estate, development and finance representatives, business and community stakeholders, local investors and family corporations. They learned the facts regarding the Qualified Opportunity Zones, Qualified Opportunity Funds, and connect with other organizations and resources within Manatee County's six Qualified Opportunity Zones.



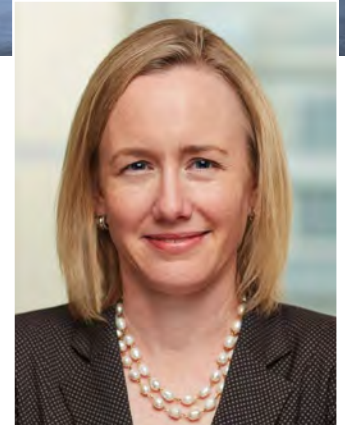
Kristen H. Ehrlich  
Estate Planning, Tax Law

Qualified Opportunity Zones are an economic development tool designed to spur job creation in distressed communities in Manatee County and allow certain new investments preferential tax treatment for capital gains taxes. To learn more about Qualified Opportunity Zones, contact Kristen at 941.748.0100 or [kehrlich@blalockwalters.com](mailto:kehrlich@blalockwalters.com). ■

## Anne Chapman Named To Leadership Manatee BOG

**B**lalock Walters is pleased to announce that labor and employment attorney **Anne Chapman** has been appointed to the Leadership Manatee Board of Governors. Anne, a 2017 Leadership Manatee graduate, will assist the board with participant selection by identifying individuals who are active in the community and are most apt to use their leadership knowledge and skills for the long-term benefit of our community. The Leadership Manatee program, established in 1982 by Manatee Chamber of Commerce, is designed to expose current and future leaders to all aspects of Manatee County. It is Manatee County's premier leadership training program and has more than 1,200 graduates.

"The Leadership Manatee program is steeped in a legacy of giving business and community leaders an in-depth look at Manatee County," said Jacki Dezelski, Manatee Chamber of Commerce president. "We are thrilled that Anne will be joining the Board to give guidance to a program that provides a one-of-a-kind experience for program participants. As a past graduate, Anne has continued to build on her commitment to serving the community."



Anne Chapman  
Labor and Employment Law

Anne is a principal in the firm's Labor & Employment and Business Litigation practice areas. Her practice focuses on representing clients in a wide range of labor and employment law issues including defending public and private sector employers in discrimination, harassment, retaliation and wage-hour litigation in state and federal court and before administrative agencies. Her practice also involves providing companies with advice and counsel concerning day-to-day employee relations issues, employment agreements and legal compliance. ■

## Ann Breitinger Presents At Medical Seminar

**H**health care attorney **Ann Breitinger** presented "Florida Laws & Rules" and "Professional & Medical Ethics" at the Continuing Medical Education seminar. The seminar was presented by the Manatee County Medical Society and jointly sponsored by the Florida Medical Association. "Annie's knowledge and experience was exactly what our physicians needed for their license renewal," said Manatee Medical Society Executive Director Valerie Vale.

Ann Breitinger is an attorney in the firm's Business and Health Care practice areas. She counsels clients regarding entity formation, business governance issues, business transactions and health care transactional and regulatory matters. Call her at 941.748.0100. ■



Ann Breitinger  
Business, Health Care Law



# Be Well Program Helps Employees Optimize Their Health, Happiness and Productivity In Many Ways

The firm's corporate wellbeing program, BeWell, focuses on the "whole" employee, a strategy that is tailored to optimize our corporate culture and our employees' health, happiness and productivity.

The five elements of the program – Community Wellbeing, Career Wellbeing, Physical Wellbeing, Financial Wellbeing and Social Wellbeing – provide something for everyone and is the foundation of the program's mission: To encourage employees' personal and professional productivity and physical and mental wellbeing by fostering a work site culture that supports anyone's voluntary desire to make healthy lifestyle choices.

During the last several months, the firm offered these BeWell initiatives:

## COMMUNITY WELLBEING

The firm sponsored employees to participate in the 11th Annual Robinson Preserve 5K & 10K Run, benefiting Manatee PACE Center for Girls.

## SOCIAL WELLBEING

In celebration of Super Bowl LIII, the firm held a potluck lunch where employees brought in their favorite game dish. There was an even split

between those cheering on the New England Patriots, the Los Angeles Rams and...the commercials.

## FINANCIAL AND CAREER WELLBEING

We invited the firm's financial advisement team at Morgan Stanley to speak to all the staff and attorneys about the 2019 financial outlook and trends.

## PHYSICAL WELLBEING

Kudos! Congratulations to **Christine Huddleston** and **Will Robinson** for completing the Skyway Bridge 10K. Proceeds from the race raised \$560,000 for the Armed Forces Families Foundation, a non-profit organization that supports our military and their families.

In continuing with the tradition of soccer excellence at Blalock Walters, our very own **Matthew Staggs** brought home another Anna Maria Island Soccer Championship. Matthew, pictured at the far right, top row, and his teammates are of the few teams in the history of the league to navigate a perfect season. Matt joins the esteemed list of Blalock Walters attorneys to bring home the championship, including three-time champ **Matt Plummer**, two-time champ **Stephen Perry**, **Scott Rudacille** and **Greg DeMeuse**. Congratulations to all four! ■



Matthew Staggs (top right) and Anna Maria Island Soccer team.



Employees celebrate the Superbowl with a potluck lunch together.



Will Robinson ran over the Skyway Bridge when it opened in 1987 as a young boy (left) and again in this year.



Annie Breiteringer and her son, Karl, play catch with his favorite toy, Captain Calamari, while running the Robinson 5K race.



Christine Huddleston and her son Billy at the Skyway Bridge 10K Run.





**BLALOCK  
WALTERS**

ATTORNEYS AT LAW

WE MAKE A DIFFERENCE

802 11th Street West  
Bradenton, Florida 34205

PRESORTED  
STANDARD  
U.S. POSTAGE  
**PAID**  
PERMIT #1  
MANASOTA FL



To better serve you, we have expanded our office in the Sarasota One Tower. Our new Sarasota address is **2 North Tamiami Trail, Suite 400, Sarasota, Florida 34236.**



In honor of **Administrative Professionals Day**, we hosted a special reception to express our appreciation for the hard work and dedication of our administrative professionals. They are instrumental in the operations and success of Blalock Walters.

**Thank you for always making a difference! ♥**

**BOTTOM ROW:** Christine Huddleston, Susan Bradley, Jackie Mori and Candice Staszewski

**TOP ROW:** Michele Gardner, Laraine McCool, Jenny Alexander, Sarah Orendorff, Linda Taylor, Ashley Lepper, Eileen Pennington, Amanda Baker, Nikki Carlock, Margie Woodham, Toni Lombardi, Kerri Comstock, Kim Godbee, Lauren Perucki, Lisbeth Bruce and Martin Forbes

**NOT PICTURED:** Jill McGarry and Marty Martin

