

BLALOCK WALTERS REVIEW

WINTER 2019

Americans With Disabilities Act Website Accessibility Lawsuits Are On The Rise

For a website to be accessible to disabled people, the content must be coded so that screen-reading software can convert the written words to an audio translation. Video that appears on a website must include audible descriptions for the deaf. All interactive functions must be operable through keyboard commands for people who cannot operate a mouse.

BY MARY F. LEVINE, ESQ. AND MATTHEW A. STAGGS, ESQ.

When the Americans with Disabilities Act (ADA) was enacted into law in 1990, it preceded the Internet, which first became publicly available in 1991. Thus the ADA's enactment preceded the explosion of electronic commerce over the Internet.

The ADA requires businesses operating places of public accommodation to be accessible to people with disabilities. For many years, ADA plaintiffs focused their lawsuits on those businesses whose properties had architectural barriers that impaired physical access and made it difficult to enter, navigate and avail themselves of the goods and services offered. Over the years, Florida has been a hotbed for these lawsuits.

In 2017, courts in Florida and New York ruled that business websites that fail to meet certain accessibility requirements can violate Title III of the ADA, and thus open them to legal exposure to an ADA lawsuit for a non-compliant, discriminatory website. To date, ADA website lawsuits have targeted a wide array of retailers, grocery store chains, restaurants, hotels, universities, drug stores and pharmacies, medical offices, hospitals, nursing homes, rehabilitation centers, home health care agencies, and others who offer places of public accommodation and accompanying websites for their businesses.

Because the Department of Justice has not clarified the technical requirements for website compliance, courts facing these website compliance lawsuits have turned to the World Wide Web Consortium Web Content Accessibility Guidelines Series 2 ("WCAG 2.0") for clarification of the technical standards websites must meet to be compliant. These guidelines include the following principles:

Perceivable: information and user interface components must be presentable to users in ways they can perceive;



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A Message from the Managing Partner

MATTHEW R. PLUMMER



Some Perspective On 2019 At Blalock Walters

It seems like only yesterday that we started 2019; it is amazing how quickly time passes by. As we close out this year and look forward to 2020, I thought it would be nice to provide some perspective on the year that was for the Blalock Walters family.

As with all families, we had successes and challenges. And while we will learn from those challenges, it is our firm's culture to celebrate the successes. Unfortunately, page limitations would prevent me from acknowledging all the individual case successes, but my hope is that we were able to make a difference for each and every one of our clients this past year. And to the extent we did not connect with you in 2019, we hope to help you in 2020. Our greatest successes are when we can help make a difference for our clients.

While not recognizing individual case success, as we conclude this year, I do want to acknowledge some of the great individual and team accomplishments and awards in 2019. The firm was once again recognized as a "Best Law Firm" by *U.S. News and World Report*. In addition, we had seven attorneys selected for inclusion in *The Best Lawyers in America*, with our very own Cliff Walters recognized as the Lawyer of the Year for real estate in our area.

On a more local level, the firm was recognized in the *Business Observer's* 2019 Gulf Coast Top 500 list, and was a finalist for the Sarasota Chamber Small Business of the Year. We also had attorneys awarded the Business MVP by the Manatee County Chamber Young Professionals, as well as a "40 Under 40" award recipient by the *Business Observer*. In addition, we had seven attorneys become board re-certified in their respective practice areas. And I would be completely remiss if I did not acknowledge all of the hard working staff members that enable us to do what we do and make all of these recognitions possible.

As we close out 2019, I will leave you with the following quote that my mom would often recite to me, as I hope it will give you some perspective in your endeavors as we head into the New Year. ■



Matthew Plummer
Managing Partner

*"What lies behind us and
what lies before us are small matters
compared to what lies within us."*

- RALPH WALDO EMERSON -

Americans with Disabilities Act Website Accessibility Lawsuits

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Operable: User interface components and navigation must be operable;

Understandable: Information and operation of the user interface must be understandable; and

Robust: Content must be robust enough that it can be interpreted by a wide variety of user agents, including assistive technologies.

In other words, for a website to be accessible to disabled people, the content must be coded so that screen-reading software can convert words to an audio translation. Video that appears on a website must include written descriptions for the deaf. All interactive functions must be operable through keyboard commands for people who cannot operate a mouse.

Website compliance can be costly, but it may well save a business from being sued for non-compliance with the law. The ADA was drafted so as to encourage compliance with its legal requirements and the changes it required, particularly since it meant modifying structures never built with the ADA in mind.

Among these incentives were the ADA attorneys' fees provisions. The statutory fee provisions permit a plaintiff whose attorney successfully secure legal relief from the courts under the law to recoup the attorneys' fees incurred.

These fee provisions have motivated non-profit advocacy groups, some private attorneys, and their clients to champion the causes of the disabled by pursuit of this litigation. While bringing about needed change and compliance with the requirements of the ADA, the opportunity for fee recovery has also given rise to a cottage industry of ADA lawsuits in which business owners must defend the litigation, bring their business premises and websites into compliance, and most likely pay the plaintiff's attorneys' fees as part of the settlement.

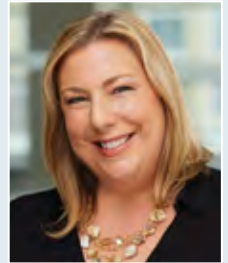
Mary LeVine has extensive experience in ADA compliance. If you would like to learn more, call 941.748.0100 or email Mary at mlevine@blalockwalters.com or email Matt Staggs at mstaggs@blalockwalters.com ■



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



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Home Mortgage Disclosure Act Proposes Fewer Financial Institutions Should Be Subject to Disclosure Requirements

BY STEPHEN G. PERRY, ESQ AND MATTHEW A. STAGGS, ESQ

The Home Mortgage Disclosure Act (HMDA) requires certain types of financial institutions (banks, credit unions, savings associations and other types of for-profit financial institutions) to collect and report specific loan-level information regarding home mortgage loans.

Specifically, the HMDA requires these financial institutions to collect and report information regarding the home mortgage loan itself, the property that the home mortgage loan is secured by, the disposition of the home mortgage loan application and the applicant applying for the home mortgage loan. According to the Federal Register, the purposes of requiring these financial institutions to collect and report such information are the following:

1. "To help determine whether financial institutions are serving the housing needs of their communities
2. To assist public officials in distributing public-sector investment so as to attract private investment to areas where it is needed
3. To assist in identifying possible discriminatory lending patterns and enforcing anti-discrimination statutes."

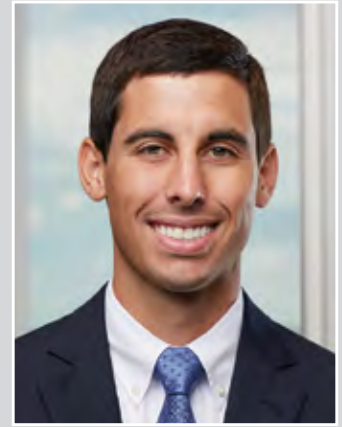
The Consumer Financial Protection Bureau (CFPB) has established a transactional coverage threshold regarding whether a financial institution is required to collect and report information for a home mortgage loan under the HMDA. Currently, the CFPB exempts a financial institution that originates closed-end home mortgage loans from the collecting and reporting requirements under the HMDA if the financial institution originates fewer than 25 closed-end home mortgage loans in each of the two preceding calendar years. The CFPB estimates that there are currently 4,960 financial institutions that are required to collect and report information for a closed-end home mortgage loan under the HMDA.

In May of 2019, the CFPB proposed to increase the transactional coverage threshold that exempts a financial institution that originates closed-end home mortgage loans from the collecting and reporting requirements under the HMDA. Specifically, the CFPB is proposing that a financial institution that originates fewer than either 50 closed-end home mortgage loans, or alternatively 100 closed-end home mortgage loans, would be exempt from the collecting and reporting requirements under the HMDA.

The CFPB estimates that if the transactional coverage threshold is increased from 25 to 50 closed-end home mortgage loans, approximately 745 out of approximately 4,263 financial institutions that are required to collect and report information for a closed-end home mortgage loan under the HMDA (approximately 17 percent) would no



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longer be required to do so under the HMDA. Additionally, the CFPB estimates that if the transactional coverage threshold is increased from 25 to 100 closed-end home mortgage loans, approximately 1,682 out of approximately 4,263 financial institutions that are required to collect and report information for a closed-end home mortgage loan under the HMDA (approximately 39 percent) would no longer be required to do so under the HMDA.

Although the CFPB originally expected to implement any increase to the transactional coverage threshold on January 1, 2020, the CFPB decided to delay such implementation, if any, to likely May 1, 2020 or January 1, 2021, to allow stakeholders to have sufficient time to review the release of the 2018 HMDA information that was collected and reported.

For additional information or questions regarding the proposal to the HMDA or whether a financial institution is required to collect and report information for a home mortgage loan under the HMDA, please contact Stephen Perry at sperry@blalockwalters.com or Matthew Staggs at mstaggs@blalockwalters.com. ■



Although The Consumer Financial Protection Bureau originally expected to implement any increase to the transactional coverage threshold on January 1, 2020, it decided to delay such implementation, if any, to likely May 1, 2020 or January 1, 2021.

Limited Exemption From Non-Compete Agreements For Some Florida Physicians

BY ANNE W. CHAPMAN, ESQ.

Earlier this year, Florida's statute governing non-compete agreements was revised to prohibit the enforceability of non-compete provisions against some Florida physicians.

Specifically, Florida Statute 542.336 was enacted to provide that a restrictive covenant entered into with a physician "who practices a medical specialty in a county wherein one entity employs or contracts with, either directly or through related or affiliated entities, all physicians who practice such specialty in that county" is unenforceable. The law further prohibits the enforceability of the restrictive covenants for the period of three years from the date after a second unrelated entity employs one or more physicians in the county.

While the statutory provision went into effect on July 1, 2019, it expressly applies to restrictive covenants entered into prior to this date by stating that covenants meeting the criteria are "void and unenforceable" under the current law. **The Florida Legislature's expressed intent in establishing the prohibition is related to its finding that such covenants restrict patient access to physicians and increase costs.**

Not surprisingly, given the prevalence of restrictive covenants in physician employment agreements along with the statute's impact on existing contracts, shortly after the statute was enacted a legal challenge was raised by 21st Century Oncology, Inc. ("21st Century").

In a lawsuit filed against Florida's attorney general and secretary of state in federal court for the Northern District of Florida, 21st Century alleges that the law is unconstitutional on several grounds. It further contends that the law was the result of special interest lobbying.

Notably, 21st Century presented the court with evidence that until earlier in 2019 all nine of the radiation oncologists in Lee County where under its employ and thus, covered by the statute.

However, by the time of the lawsuit, five of nine of these physicians had left 21st Century's employment and were alleged to have continued practicing in Lee County. While these physicians had restrictive covenants in their employment agreements with 21st Century that would have arguably prohibited them from continuing to work in Lee County post-employment with 21st Century, in light the new statute, these restrictive covenants were unenforceable.

The lawsuit is still pending. In August 2019, the federal judge presiding over the case denied 21st Century's request for a preliminary injunction that would prohibit enforcement of the statute. In denying the motion, the court cited the fact that 21st Century had failed to establish a substantial likelihood of success on the merits which is a requirement for the "extraordinary" relief of a preliminary injunction.

Litigation proceeds as to the purported unconstitutionality of the statute and no doubt this case will be closely watched for its future impact on non-competes in Florida. ■



Anne Chapman
Labor and Employment Law

Overtime, Minimum Wage Exemption Changes

As expected, the Department of Labor released its new rules, which go into effect on January 1, 2020. The new rules update the minimum compensation thresholds for the white collar exemptions (executive, administrative, or professional employees) from the FLSA's minimum wage and overtime pay requirements. **Two of the revisions include:**

- Raising the salary level for white collar exemptions from the current level of \$455 per week to \$684 per week (or \$35,568 annually); and
- Raising the total compensation for highly compensated employees from the current level of \$100,000 annually to \$107,432 annually. ■

Florida's 2020 Minimum Wage Increases to \$8.56 per hour or \$5.54 for tipped employees

Consistent with Florida's Minimum Wage Act, the Department of Economic Opportunity calculated Florida's new minimum wage.

Effective January 1, 2020, Florida employers will be required to pay a minimum wage of \$8.56 per hour which represents a ten-cent increase. For tipped employees the minimum wage increased to \$5.54 per hour plus tips. ■

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Thinking About Buying A Franchise?

What You Should Do Before Making An Investment

BY MATTHEW J. LAPOINTE, ESQ.

Many people dream about someday owning their own business. Being personally responsible for one's own destiny, rather than having a job that's subject to the vicissitudes of a company's stock price, is both empowering and frightening at the same time.

Owning a business is empowering because the financial rewards depend primarily upon the owner's own efforts. It can be frightening because the business owner often invests everything he or she has in the business. While starting a new business is very risky, a franchise business can mitigate much of that risk.

The first part of this article provides a general overview of the franchise relationship and articulates some of the reasons why a franchise might be a good option for someone looking to start his or her own business. The second part of the article discusses the importance of thoroughly investigating the franchise opportunity. Finally, part three of the article addresses the legal aspects of the franchisor/franchisee relationship and provides some reasons why it is important to consult an experienced lawyer before signing a franchise agreement.

1 The Franchise System

Franchising is a form of business by which the owner of a certain method or system of producing or selling particular goods or services (franchisor) permits another person (franchisee) to utilize that system or method.

Owning a franchise can provide the empowerment of business ownership while tempering the "fear factor" of going at it alone. Franchises provide a number of advantages over starting your own business from scratch.

A good franchisor has spent a great deal of time and money developing a proven operating system for its particular type of business. The franchisor has studied the particular market and has developed routines and practices that a new business owner in that particular business might take years to learn. The "system" is the main reason that starting a franchised business can be so much less frightening than doing it on your own. Following the franchisor's system takes a lot of the trial-and-error out of owning your own business.

In addition to a proven business operating system, many franchisors have developed strong trademarks, such as business names, catch phrases and logos that are associated with their businesses and are recognized in the marketplace. The franchisor licenses these trademarks to its franchisees, allowing franchisees to use these familiar, recognizable trademarks in their own businesses. The franchise agreement contains provisions protecting these trademarks from misuse and maintaining their value to the system.

Franchisors often provide detailed policy and procedure manuals that address many of the day-to-day problems associated with business ownership. These manuals may include personnel policies, instructions on proper payroll practices

and instructions on proper book-keeping practices. Such manuals also address most of the day-to-day operational issues that plague new business owners. Franchisors regularly offer training in these policies and procedures, enabling the franchise owner to quickly get up to speed on business operations.

The franchise system also provides a means by which new ideas can be tested at the local level before being adopted system-wide.

Many improvements to a franchise system originate with franchise owners who see how things work "in the trenches" and bring proven techniques to the attention of the franchisor. This network of fellow franchisees can also be an important source of support for new franchise owners.



Matthew Lapointe
Business, Health Care Law

2 Investigating Franchise Opportunity

The franchisee is often making a very significant investment in his or her franchise. That investment should not be made without a thorough investigation of the multitude of franchise opportunities.

Franchises exist in every sector of the economy: healthcare, restaurants, commercial and residential cleaning, lawn care, trades (plumbing, electrician, etc.), daycare, and the list goes on. A franchise consultant can help narrow down the choices. Such consultants try to match the skill set and personality of the prospective franchisee with an appropriate franchise opportunity.

Once the franchisee has chosen a particular industry, it is important to assess the strength or weakness of the particular franchise opportunity. A weak franchise – one in which the trademarks are not particularly strong or well-known, or in which the franchisor does not have the financial resources to support its franchisees – can be a very poor investment.

Fortunately, there are many resources available to assist the prospective franchisee with his or her investigation of the franchisor. The first step is to thoroughly read the franchise disclosure document ("FDD"). While the FDD may seem impenetrable, there is really no better single source of information about the franchise system and the franchisor. The contents of the FDD are to a high degree dictated by the federal franchise regulations and it is a rich source of information about the franchisor and the strength (or weakness) of the franchise. The FDD and its associated tables, charts and appendices can tell the prospective franchisee a great deal about the background and financial strength of the franchisor. If a potential franchisee does not understand the financial information in the FDD, he or she should engage an experienced business

accountant to review the FDD and advise him or her on the financial strengths and weaknesses of the franchisor.

The FDD also contains the identity and contact information of other franchisees in the system. The prospective franchisee should contact several current and former franchisees, who are in perhaps the best position to provide inside knowledge about the pros and cons of the system. The prospective franchisee should ask current and former franchisees about their experiences with the system and their perceived strength of the franchisor. Questions should include whether the franchisor provided adequate training in the business system, whether the operations manuals are helpful and easy to follow, and whether the franchisees think that the system added value that would not be available to a similar business operating outside such a system.

Finally, because much of the value of a franchise is associated with the strength of the franchisor's trademarks, the prospective franchisee should search the US Patent and Trademark Office website to confirm that the franchisor's trademarks are properly registered. If the franchise is not particularly well-known or well-established, an experienced attorney can assist with this process and can advise a prospective franchisee of the strength or weakness of a franchisor's trademarks.



The Franchise Agreement

The prospective franchisee must have a full understanding of the legal relationship between the franchisor and the franchisee, which is embodied in the franchise agreement. Once the prospective franchisee has read (and re-read) the FDD and has satisfied him or herself of the strength of the franchisor and its trademarks, the final step is to carefully read the franchise agreement and engage a qualified attorney to review it.

Franchise agreements are largely non-negotiable. If the franchise agreement is truly a take-it-or-leave-it proposition, why pay a lawyer to review it? First, because there are probably going to be provisions that the prospective franchisee simply does not understand. An experienced attorney can explain in plain English some of the more technical legal provisions. Second, there are some circumstances when the franchise agreement, or at least portions of it, are in fact negotiable.

The degree to which a contract is negotiable is usually related to the relative bargaining power of the parties involved. Many of us regularly enter into contracts wherein the other party to the contract has a great deal more bargaining power than we do - credit card agreements and auto insurance policies come readily to mind. In the franchise context, the franchisor has all the bargaining power, and in most cases the franchisee must simply sign the agreement if he or she wishes to buy the franchise. A general rule of thumb is that the more well-known and well-established the franchise, the less likely the franchisor will be willing to make any changes to the franchise agreement. In fact, one of the signs of a weak franchise is when the franchise agreement is open to a great deal of negotiation. But a relatively new franchisor may be willing to make certain concessions under certain circumstances.

What are some provisions that an experienced attorney may be able to negotiate? Of course, the answer varies with the circumstances, but following are some of the areas in which franchisors may be willing to make concessions in the franchise agreement:

Notice Provisions. There are many places in a franchise agreement where the franchisor has the right to exercise certain remedies upon a default by the

franchisee. Sometimes the franchisee can insert provisions requiring advance notice and an opportunity to cure such defaults before the franchisor may exercise its remedies.

Limiting the Franchisor's Discretion. Franchise agreements often contain provisions requiring a franchisee to obtain the franchisor's consent to do certain things. Franchisees should try to ensure that the franchisor does not have absolute, unfettered discretion to deny its consent when giving such consent would be reasonable based upon verifiable facts.

Trademark Protections. Much of the value in the franchise system is attributed to the trademarks that the franchisor licenses to the franchisee. The franchisor should be willing to stand behind its trademarks and defend them in the event they are challenged by third parties. Consequently, the franchisor should be willing to indemnify the franchisee in the event the franchisee is sued on the basis of trademark infringement.

Adjoining Territories. Sometimes the franchisor is willing to grant a strong (generally that means well-financed) franchisee a right of first refusal to purchase the territories that are contiguous with his or her own and which have not yet been assigned to other franchisees. A franchisee might even be able to negotiate a reduced price for such additional territories.

Indemnification Provisions. Franchise agreements sometimes contain unreasonable indemnification provisions. Under an indemnification clause, one party is required to hold harmless the other for certain losses or damages. It certainly makes sense for the franchisee to indemnify the franchisor for losses or damages that the franchisor suffers as a direct result of the wrongful acts of the franchisee or its employees. But often the indemnification provisions are written much more broadly to favor the franchisor and such provisions can sometimes be cut back.

Advertising Requirements. A franchisee may want to request that the franchisor loosen the requirements that the franchisee spend a certain dollar amount or percent of gross sales on advertising, particularly during the first several months of operation. Some franchisors will lower these requirements during the first six months to a year, in recognition that revenue is usually very tight during the start-up stage of the business.

Sale of the Franchise. All franchise agreements set conditions on a franchisee's ability to sell or transfer the franchise. These provisions are sometimes negotiable with respect to the assignment of the franchise to family members and with respect to the franchisor's ability to exercise a right of first refusal. Since most franchise agreements have a term of 10 to 20 years, it is imperative that the franchisee understands the restrictions on his or her ability to sell the franchise.

Conclusion

Investing in a franchise can be a very rewarding decision. It can also be an unmitigated disaster if the prospective franchisee chooses the wrong kind of franchise or does not understand what he or she is getting into. The decision to invest in a franchise should be made only after a thorough investigation of the franchisor and careful study of the franchise agreement. An experienced attorney can help take some of the uncertainty out of the process and can ensure that the franchisee is going into the deal with a complete understanding of his or her rights and responsibilities.

To learn more about franchises or business and corporate law, please contact Matt Lapointe at 941.748.0100 or mlapointe@blalockwalters.com. ■

Creating An Electronic Will Sounds Great

Floridians will soon be able to create electronic wills expressing how they wish their property to be distributed upon death. But are they practical estate planning tools or too expensive and time-consuming compared to traditional wills?

BY DANA CARLSON GENTRY, ESQ.

In July 2020, Floridians will be able to create “electronic wills” expressing how they wish their property to be distributed upon death by audio and videotaping the entire process.

One must read several chapters of the Florida statutes dealing with wills, notaries public and uniform electronic transactions to understand this complicated alternative Will execution procedure that will be available next year.

Jill, a 90-year-old widow, wants to change her will and trust using the electronic will process to sign the documents in the comfort of her own home. Jill is sharp mentally, but uses a wheelchair because she is not able to walk. She has two adult children, Matt and Anne, who also each have two adult children. Jill uses a full-time paid caregiver, Mary, who lives with her. Jill owns her own home and lives near neighbors: Andrew, a widower and retired engineer, and Amanda and John, a young couple.

Jill wants to give small specific cash amounts to her four grandchildren in her revocable trust before dividing the remainder of her trust assets equally between her two children. Under her will, Jill wants to give all her jewelry to Anne, and the balance of her tangible personal property shared equally between Anne and Matt. Jill wants the remainder of any other estate assets to be transferred to the trustee of her revocable trust. Jill wants Matt to be first-named personal representative under the will and Anne, as her alternative personal representative. She has approved the will and trust amendment drafted for her.

We can use the electronic will process for the new will only. The statute does not allow electronic signing of a revocable trust. The new statute does allow for electronic wills with testamentary trusts, a document not appropriate for Jill's goal to avoid probate. Jill can execute the trust amendment in front of disinterested witnesses in the traditional written format at her home. Jill still wants to create the electronic will.



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

Witnesses Andrew and John will come to Jill's home at the time of signing. Tony, a staff member of our office will only be able to notarize the will as an online notary if he took the required two hour education course approved by Florida, and obtained appropriate surety bond and insurance. Tony must choose a qualified and insured online notarization service provider (a RON service provider) that will audio and videotape the procedure.

Notary Tony chooses Martin to be the RON service provider. Martin must ask Jill if she is under the influence of drugs or alcohol that might impair her decision-making abilities, if she has any physical or mental condition or disability that impairs her ability to perform normal daily living activities, and if she requires assistance with daily care.

Because Jill will answer “yes” to the last two questions, the witnesses must be present in the same room with her. If Jill could answer “no” to all three questions, John or Andrew could have witnessed by video using the RON service provider. After asking these three questions, Martin must give Jill a written notice that states if Jill is a vulnerable adult as defined in Florida Statutes, the documents she is about to sign will not be valid using audio/visual technology.

Next Tony must ask Jill five questions that have a minimum of five possible answer choices per question. Each question must come from an outside public identifiable source such as an historical record (i.e. social security number or other identification information deed, marriage license etc.).

Jill's answers to the questions must be made within two minutes and she must answer 80 percent correctly. If she does not answer 80 percent, then Tony may ask five questions again so long as he does not ask more than three questions from the failed attempt. If Jill cannot answer within the two minutes or does not answer 80 percent of the questions correctly the second time, then the meeting ends without signing documents.

If Jill passes the test, Tony must then ask her who assisted her in accessing the video conference and in preparing the document being signed, where she is, and who is in the room with her, and if she is married. Then Tony asks the standard questions most lawyers ask in a will execution to make sure that Jill is voluntarily executing the will and not under duress or undue influence in signing it. Jill and the witnesses must all be videoed during their entire respective signings. Jill's electronic signature may be an electronic mark visibly shown in the records as a signature that she intended to be her signature on the will, and not a traditional signature.

After Jill signs, notary Tony identifies two witnesses in the video. Tony would ask Andrew and John to verbally confirm their identities by stating their names and current address on the audio/visual recording just before each one signs. All electronic wills must be self-proved and state the name of the qualified custodian who will hold the electronic will until Jill dies.

Notary Tony must keep an electronic journal accompanying the electronic will in a secure place with back-up copies and protections to prevent unauthorized use for at least 10 years. The information will include time and place of signing and copies of driver licenses for identification.

The qualified custodian of the will must have its own liability insurance and maintain Jill's privacy disclosing information on the electronic will and record only to Jill and those she has authorized to receive information during her lifetime. The custodian and our firm also keep a written backup of the proceedings.

The custodian only may destroy the entire electronic record at any time after the earlier of the 5th anniversary of the conclusion of the administration of Jill's estate or 20 years after her death. But, if upon Jill's death no obituary appears in the newspaper and the family

does not communicate with the custodian or provide a death certificate, the custodian will not be able to accomplish its obligation of filing the will with an appropriate court.

Many clients generally sign new wills and revocable trusts at the same time along with durable business powers of attorney and health care surrogate and advance directive documents. While the new statute states powers of attorney or health care advance directives can be electronically signed, it specifically prohibits the signing of a durable power of attorney that contains special transactional powers, like gifting powers. It also fails to provide any guidance on how to sign powers of attorney or health care advance directives after the RON service provider asks the first three questions on disabilities.

Most clients will find it more economical and less time consuming to arrange for a standard written executed will instead of an electronic will.

If you want to discuss the estate planning options that will work best for you and your family, call Dana Carlson Gentry at 941.748.0100 or email her at dgentry@blalockwalters.com. ■



Filing an electronic will is complicated. Most people will find it more economical and less time consuming to arrange for standard written executed wills, than to attempt to create an electronic will as the statute is now written.

- DANA CARLSON GENTRY

Florida Legislature Repairs Building Permit Defects

BY GREGORY S. DEMEUSE, ESQ

Florida property owners, especially along the coast, are commonly a bit nervous as the height of hurricane season hits in late summer, but then breathe a sigh of relief if unscathed as the season draws to a close in November.

Longtime Floridians can recall more than one near miss, a narrow escape or even the worst case scenario of bearing the brunt of a hurricane-force impact. In 1992, with winds reaching 175 miles per hour and tidal surges upwards of 16 feet, Hurricane Andrew devastated south Florida, becoming the costliest hurricane in United States history up to that time.

Flaws in building construction became apparent and demonstrated that building standards, governed by local laws and regulations, were insufficient. These deficiencies led Florida lawmakers to enact the Florida Building Code, which became effective in 2002, outlining state-level building standards for local governments to enforce. Local governments now issue building permits, review plans, perform inspections and close building permits in accordance with standards set forth in the Florida Building Code.

Open and expired building permits can become a problem for further development and a deal breaker in real estate transactions. The main concern for buyers is that they may suffer the ramifications of a prior owner's open or expired permit, such as fees or denial of new building permits.

The standard "AS IS" residential contract used in Florida requires sellers to promptly cooperate in good faith to resolve issues with open or expired permits, but provides that the seller cannot be obligated to expend money in doing so. Because open or expired permits often require financial expense to address, this can cause a stalemate between sellers who are unmotivated to address permit issues and buyers who are hesitant to tackle potential permit problems associated with a property.

House Bill 447, which took effect July 1, 2019, addresses several issues pertaining to open and expired building permits. For one, it allows a local government to close a building permit after six years if no apparent safety hazard exists. Perhaps most importantly, it protects buyers by prohibiting local governments from denying issuance

of a new building permit or otherwise penalizing a subsequent arms-length purchaser solely because a previous owner did not properly close a permit for the property.

In addition, contractors may be reluctant to undertake a project started by another contractor, making it difficult to finish the project and get permits closed in a timely manner if the original contractor is incompetent or is no longer available. House Bill 447 clarifies that a contractor is only liable for his or her share of the work performed when working to close a permit, offering a contractor protection from liability for the work of prior contractors, which ought to make it easier for owners to hire a new contractor to take over an uncompleted project. Homeowners could also choose to finish the permitted

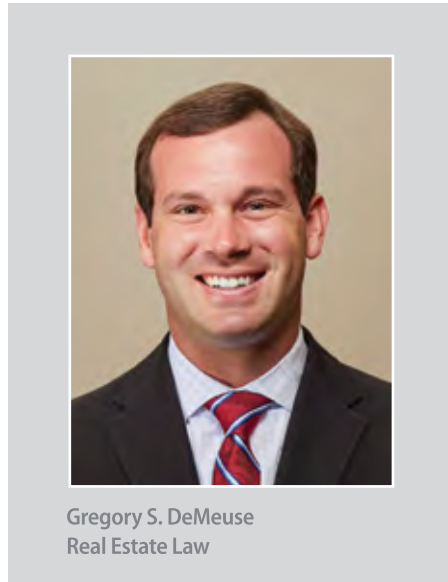
work themselves, as opposed to hiring a licensed contractor as previously required by the Florida Building Code, since the law allows the owner of a residential property to assume the role of an owner-builder upon approval by local government.

Finally, in an effort to prevent search fees related to building permits from becoming overly expensive, the law limits local governments to charging one fee for identifying building permits for a particular tax parcel and prohibits local governments from charging surcharges not directly related to enforcing the Florida Building Code.

These new changes to the Florida Building Code are intended to make it easier, cheaper and potentially faster to close building permits. By lessening the impact of open or expired building permits and providing for more methods of closure, House Bill 447 allows Floridians to more effectively develop, buy and sell property.

This promotes more efficient development and greater success in real estate transactions across the state by virtue of avoiding troubling issues with open and expired permits, while still ensuring that Florida residences are prepared come next hurricane season.

If you have questions regarding building permits or any real estate matter, please contact Greg at 941.748.0100 or gdemeuse@blalockwalters.com. ■



Gregory S. DeMeuse
Real Estate Law





BEHIND THE *Suit*

With Tony Bartirome



Tony was born in Greensburg, Pennsylvania to Anthony "Tony", Sr. and Carol Bartirome. Tony senior's career with the Pittsburgh Pirates had the family living in Pennsylvania and spending three months of the year in Bradenton during spring training. The family decided to move to Florida permanently in 1976.

After earning a Bachelor of Arts degree from Washington & Jefferson College, a Juris Doctor degree from Duke University and LL.M. in Taxation from University of Florida, Tony practiced law as a sole practitioner before joining Blalock Walters in 2005. Tony leads the firm's estate planning and tax law practice groups.

Who is your greatest inspiration?

My father. His highest priorities were his wife, his son and his life-long friends. I learned early on that he had natural instincts about people and life in general. I always tried to take his advice because he never steered me wrong. Among those who knew him, he is remembered not just for his passion for baseball, but more for his unwavering love for his wife, family and friends, and for his sense of humor and appreciation of a good practical joke.

What was your first job?

Prior to college, I worked the graveyard shift as a security guard at the Volkswagen manufacturing plant in New Stanton, Pennsylvania. My boss told me, "There are two sure ways to get fired from this job. . . one is to lose your keys and the other is to be caught sleeping on your shift." I never lost my keys.

Who is your favorite cook and what's your favorite dish of theirs?

By far, my mother! Her Italian meals were off-the-charts delicious, particularly, her stuffed manicotti with meatballs. She never referred to a recipe, never measured anything and every meal was served piping hot. My father and I ate like kings!

If you were a super hero, who would you be?

I would be Tony-the-Time-Travelling-Guy, so I could go back in time to thwart the evil actor's plan to destroy the world while it was still being concocted. I'm afraid, however, that this will not make me very popular among the other super heroes, as they will be left with nothing to do but look at each other in their silly outfits.

Favorite TV program?

I don't really know or follow the newer TV shows. I actually thought *Game of Thrones* was a story about five guys living together in a one-bathroom apartment.

Favorite Song?

I get this question a lot, and, well, it's pretty much a dead heat. Johann Strauss' *On the Beautiful Blue Danube* enchants me always. Then there is Sinatra's rendition of the hauntingly melodic *What'll*

I Do, composed by the great Irving Berlin. However, the winner is AC/DC's *The Girl's Got Rhythm*.

Favorite Author?

Co-favorites . . . John Steinbeck and H.P. Lovecraft. . . because they have so much in common.

We must talk about your beloved Steelers....

Ever since meeting most of the Steelers' 1970's championship players as a kid, I've been an avid fan. The Pirates and Steelers shared the same stadium in those days, so my father introduced me to the players and coaches. . . and even the late, great Art Rooney himself. Awesome memories!

Where is your favorite place to watch the game?

Heinz Field, Pittsburgh, of course!

What is your favorite vacation?

Unquestionably, my favorite vacation is my annual deep-sea fishing trip in the Florida Keys with dear friends whom I've known for more than 40 years! Unfortunately for them, I'm about as useful on the boat as Gilligan. The typical day at sea would invoke these words from Captain Ed: "Fish on!!!!... Clay, pull in the teaser!... Paul, Andy, reel in the other lines!... Tony, stay out of the way!" ■



Tony and his parents



Tony at his grandmother's cabin. It was his turn to get the beers from the basement keg.



Annual fishing trip to the Florida Keys with friends Tony's known for more than 40 years.



Baseball card of Tony's father



Making a Difference...



Goodwill team member Vincent Duval, Bob Blalock, Cliff Walters, Marlene Blalock, Matt Lapointe and Will Robinson

Supporting Goodwill Manasota and Its Mission

We are proud to continue our support of Goodwill Manasota and its mission of “Changing Lives Through the Power of Work.” We attended the Goodwill Ambassador of the Year awards dinner, an annual event that spotlights inspiring stories and extraordinary leadership and its positive impact on our community.

The annual event shines a spotlight on those who contribute to the community and Goodwill’s success. We were inspired by a remarkable young woman, Courvoisier “CiCi” Malone, who overcame adversity and is pursuing her dreams as Goodwill Manasota’s Team Member of the Year.

This year’s Ambassador of the Year honorees were veterans advocate Kevin Henault, philanthropist Charles L. Slater, and Goodwill community partner Turning Points, with the award being accepted by executive director Adell Erozer. ■

Golfing To Benefit Bradenton Police Department

We enjoyed supporting the “Wagner Realty 2019 Golf Classic” at Tara Country Club. All proceeds from the tournament benefit Bradenton Police Department’s Bradenton Blue Foundation, which was developed to support our officers and community by raising funds for specialty training, technology, safety equipment, and community outreach. ■



Matt Staggs, Stephen Perry and Greg DeMeuse golf to support Bradenton Blue Foundation

Bob Blalock Honored By New College Foundation

Bob Blalock was honored for his extensive service and support of New College of Florida Foundation at their 41st annual Clambake. Bob was a former foundation board member and champion for New College and is the person who created the Clambake over four decades ago. New College President Dr. Donal O’Shea said from the podium, “Bob, did you ever dream you’d be the inspiration for such a wonderful fundraiser that has raised money for student scholarships? We so appreciate your long-standing support and we are pleased to recognize you this evening.”

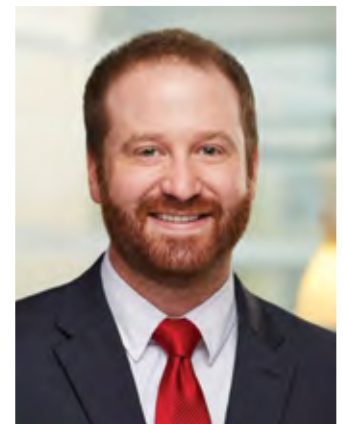
“Bob’s legacy of providing leadership to the community lives on within his firm where all attorneys are expected to demonstrate leadership by connecting with at least one nonprofit and make a difference,” said **Cliff Walters**, long-time law partner and Bob’s friend. ■



Honoree Bob Blalock and Development Director MaryAnne Young

Jason Levy Joins to Lighthouse of Manasota BOD Board of Directors, Helping Those With Vision Loss

Health care and corporate law attorney **Jason Levy** joined the Lighthouse of Manasota board of directors. Lighthouse offers education, support and motivation within an environment that is enriching for individuals with vision loss. Their programs offer a holistic approach by providing training and rehabilitation to foster independence, productivity, and improved quality of life. Jason is a native of Sarasota and his experience in health care law will help support Lighthouse’s mission.



Jason Levy
Business, Health Care Law

In his practice, Jason counsels clients regarding entity formation, business governance issues, business transactions and health care transactional and regulatory matters. **If you would like to contact Jason, please call 941.748.0100 or email jlevy@blackwalters.com.** ■

Jenifer Schembri Elected to Manatee Community Foundation Board of Directors

The Manatee Community Foundation has appointed estate planning and tax law attorney **Jenifer Schembri** to its esteemed board of directors.

“The knowledge and experience of trusted professional advisors plays a major role in helping charitable people make a difference through philanthropy,” said Manatee Community Foundation Executive Director, Susie Bowie.

“We are delighted to benefit from the experience of Jenifer Schembri as she joins the Manatee

Community Foundation board of directors. Her commitment to our community and to the ever expanding role of giving will help our organization grow in scope as it serves donors and nonprofits.”

Jenifer is Board Certified by The Florida Bar as an expert in Tax Law, in addition to having her LL.M. in Taxation from the University of Florida and being a Certified Public Accountant. Jenifer represents both companies and individuals in the areas of individual and business tax planning, entity selection and formation, corporate governance matters, mergers and acquisitions, business succession planning and transitions, charitable planning, tax controversy matters at the federal and Florida levels, and all aspects of estate planning, including trust and estate taxation and wealth preservation. ■

Greg DeMeuse joins Manatee Habitat for Humanity Board of Directors

Real estate attorney **Greg DeMeuse** joined the Manatee Habitat for Humanity board of directors. The firm has a long-standing relationship with Manatee Habitat for Humanity and Greg's experience will help further the organization's mission to build strength, stability and self-reliance through shelter. Greg and our real estate department provides



Jenifer Schembri, Business, Estate Planning; Florida Board Certified in Tax Law



Gregory DeMeuse, Real Estate Law

Manatee Habitat for Humanity 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.

“Greg is a wonderful addition to the Manatee County Habitat for Humanity Board, bringing his expertise and can-do attitude,” said Executive Director Diana Shoemaker. “His willingness to help wherever and whenever needed is a testament to his generosity and commitment to our mission and the families we serve.”

Greg's practice is in real estate and land use law. His real estate practice focuses on commercial and residential transactions, including purchases, refinances, and construction loans, as well as commercial leasing. In the areas of local government and land use law, Greg serves as counsel to a wide variety of local government entities, such as municipalities, special districts, community development districts, and interlocal governments. He also represents private clients in all aspects of the permitting and development process. ■

Cheers for Charity Fundraiser Nets \$5000

Cheers for Charity, a women's giving circle co-founded by real estate attorney **Amanda Tullidge**, held its 5th Annual Bartending fundraiser at Naughty Monk Brewery. The colorful and festive theme attracted nearly 200 people who helped raise \$5,000 for local charities including Foundation for Dreams and Dream Oaks Camp, Stillpoint Mission, Realize Bradenton, Step Up Suncoast, Face Autism, and Healthy Start Coalition of Manatee County, Inc.

Since its inception in 2015, Cheers for Charity has grown to a group of over 40 young professional women who have donated and raised over \$62,000 for causes close to their hearts including women's and children's health, domestic violence prevention, homelessness, and animal care. ■

Festive Blackwalters team members support Cheers for Charity's 5th Annual Bartending Fundraiser.



About Us...



City of Bradenton Hires Blalock Walters to Serve as City Attorney

City of Bradenton has hired Blalock Walters, P.A. to serve as its legal counsel, and **Scott Rudacille** will serve as City Attorney. Scott is Board Certified in City, County and Local Government Law by the Florida Bar and holds an AV Preeminent™ Peer Review Rating from Martindale-Hubbell. He serves as counsel to a wide variety of local government entities, and he represents private clients in all aspects of the permitting and development process.

In addition to general government matters, Blalock Walters will also provide representation to the City in related matters such as litigation, real estate, land use and labor and employment.

“Selecting a law firm to represent our City was a deliberate, serious and difficult challenge,” said City of Bradenton Mayor Wayne Poston. “Bill Lisch was our legal representative for 43 years and we were very happy with his work as an integral part of our team. But, retirement called out to him.”

“We know lots of legal firms and we feel very confident we have selected the right firm, Blalock Walters, P.A., and attorney Scott Rudacille as City Attorney,” Poston noted. “I have known Scott personally and professionally for years and have the utmost confidence in his legal abilities and his understanding of the workings of the City of Bradenton. At my request, he served on the Bradenton Housing Authority board of directors. We look forward to a strong working relationship that serves all the citizens of Bradenton.” ■



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

Real Estate Attorney Amanda Tullidge Named Firm Principal

The firm is pleased to announce that real estate attorney **Amanda C. Tullidge** has become a principal of the firm.

Amanda joined Blalock Walters in 2013 and is a member of the firm's Real Estate and Banking practice groups. Her practice is in commercial and residential real estate law, with a focus on commercial leasing, commercial transactions, and residential real estate.

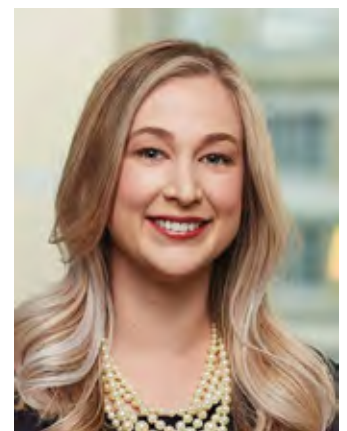
She is a Licensed Realtor®, a member of Realtor Association of Sarasota and Manatee, serves on the Manatee County Bar Association Young Lawyers Division board of directors and is a member of Lakewood Ranch Business Alliance and Manatee Young Professionals. She was named Finalist for both 2019 Sarasota Young Professional of the Year and Manatee Young Professional MVP. Active in the community, Tullidge serves as board member and grants chairperson of Lakewood Ranch Community Foundation and co-founded Cheers for Charity, a women's giving circle comprised of over 30 young professional women who raise funds for local nonprofit organizations.

“Since joining Blalock Walters immediately upon graduation from the University of Florida, I knew it was a special place to work,” says Tullidge. “The commitment to producing high-end legal work that

would make a difference in the community was evident. I am honored to be joining the ranks of the talented partners here. I look forward to continuing to represent parties in a wide range of real property matters.”

“Amanda has made a difference in our firm not just through her thorough and attentive care of her clients but also in how she gives back,” says Managing Partner Matthew Plummer. “Through her many years of leadership with the bar and local nonprofit organizations, you can see her active engagement and her passion for her community.”

Tullidge earned her B.A., cum laude, from University of Florida and her J.D., magna cum laude, Order of the Coif, from University of Florida Levin College of Law. ■



Amanda Tullidge
Real Estate, Banking Law

7 Recognized in 2020 *Best Lawyers in America*® And Cliff Walters Named Lawyer of the Year

Seven Blalock Walters attorneys have been selected by their peers for inclusion in *The Best Lawyers in America*® 2020. Additionally, Clifford L. Walters, III was named the Best Lawyers® 2020 Real Estate Law "Lawyer of the Year" in Sarasota.

These attorneys have been selected for inclusion in the publication:

Mark P. Barnebey | Land Use & Zoning Law

Robert G. Blalock | Trusts and Estates

Charles F. Johnson | Commercial Law and Litigation

Matthew J. Lapointe | Corporate Law

Fred E. Moore | Commercial Litigation

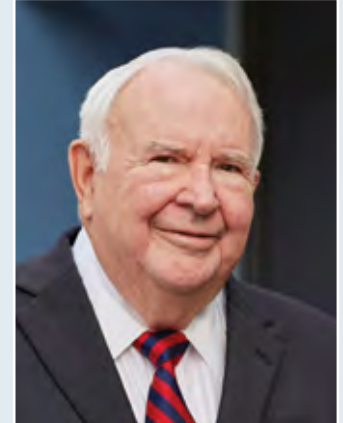
William C. Robinson, Jr. | Real Estate Law

Clifford L. Walters, I | Real Estate Law

A listing in *Best Lawyers* is widely regarded as a significant honor conferred on a lawyer by his or her peers. The lists of outstanding attorneys are compiled by conducting exhaustive peer-review surveys in which tens of thousands of leading lawyers confidentially evaluate their professional peers. If the votes for an attorney are positive enough for inclusion in *Best Lawyers*, that attorney must maintain those votes in subsequent polls to remain on the list for each edition. ■



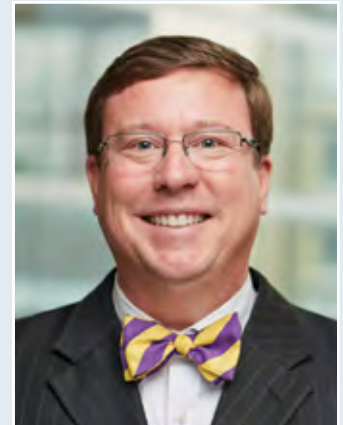
Mark Barnebey, Land Use, Mediation;
Florida Board Certified in City,
County & Local Government Law



Robert Blalock
Banking, Business,
Estate Planning, Real Estate Law



Charles Johnson
Business Litigation



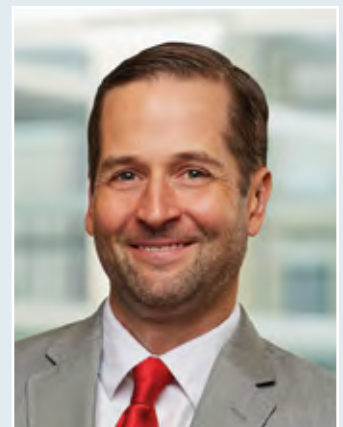
Matthew Lapointe
Business, Health Care Law



Clifford Walters, Business,
Estate Planning, Real Estate Law



Fred Moore
Florida Board Certified in
Business Litigation



William Robinson
Florida Board Certified in
Real Estate Law



WE MAKE A DIFFERENCE

Ryan Portugal Joins Firm, Expands Health Care and Corporate Practice Groups

We are pleased to welcome attorney **Ryan P. Portugal** to our corporate and health care practice groups. He previously worked at a large Sarasota law firm as an associate attorney. At Blalock Walters, Ryan's practice concentrates on the business aspects of health care with a focus on mergers and acquisitions, contractual and joint venture arrangements, healthcare regulatory compliance and labor and employment matters. He will support Blalock Walters' robust physician practice management transaction team assisting clients with rolling up physician practices in a multitude of specialties.

"The firm is thrilled with the addition of Ryan Portugal to our growing healthcare transactional and regulatory practice," says Robert Stroud, head of the practice group. "Ryan will be able to use his prior experiences to enhance the level of service provided to our healthcare clients as we continue to actively participate in the consolidation of healthcare businesses throughout the state and country. Ryan's commitment to our clients and community make him a perfect addition to the Blalock Walters team."

Ryan can be reached at 941.748.0100 or rportugal@blalockwalters.com. ■



Ryan Portugal
Business, Health Care Law

Ann Breitinger Honored As Manatee Young Professionals Business MVP

Corporate and health care attorney **Ann Breitinger** was named Business MVP at the Manatee Young Professionals MYP MVP awards luncheon. The awards celebrate professionals in Manatee County ages 21-40, who demonstrate initiative and excellence in their careers, contribute time and energy in serving the community and support other young professionals through their leadership and advocacy.

"The Business MYP MVP award honors an individual who has exemplified visible community leadership and professional achievement while working in the private sector," said John Horne, award announcer. "This individual is growing their career while seeking to positively influence the dynamics of our growing region and supporting their peers."

"Today's winner is a young professional who has embraced the community since arriving in Bradenton. Friends describe her as genuine, ambitious, imaginative and team-oriented. Professionally, she is described as a leader who is always willing to accept additional work and a wonderful mentor to the summer interns who arrive every year. She volunteers with numerous non-profits including We Care Manatee, Cheers for Charity Women's Giving Circle and Realize Bradenton, where she serves as the chairman of the board. She is a role model for other young professionals, showcasing how a successful business leader can balance a full-time law career, community volunteerism and motherhood! Congratulations to Ann Breitinger with Blalock Walters, P.A."

Twenty years ago, the late president of the Manatee Chamber of Commerce, Bob Bartz, decided that businesses and organizations needed to put a greater focus on recruiting and retaining young adults for the local workforce. The Chamber celebrated his vision with the inaugural award ceremony for the Manatee Young Professionals, a group of business men and women that is now more than 400 members strong. Blalock Walters real estate attorney and **State Rep. Will**



Mark Barnebey, Anne Chapman, Jill McGarry, Marisa Powers, Ann Breitinger, Amanda Tullidge, Matt Plummer, Will Robinson



2019 Manatee Young Professionals MVP winners

Robinson said he appreciates that the group he joined as a young lawyer is a voice on issues such as affordable housing and water quality. "Bob Bartz would be very proud right now," Robinson said. "It (MYP) was his vision."

The award categories included Business MVP Award, Entrepreneurial MVP, and Non-Profit MVP. Real estate attorney **Amanda Tullidge** was also a finalist in the Business MVP category. Blalock Walters was also named a finalist in the Employer MVP category, which honors a Manatee County employer who implements creative and intentional initiatives to attract and retain young talent to the region. ■

Testimonials from Matt's colleagues:

"It takes a strong leader to manage a firm of this size and depth and Matt Plummer has excelled at this. Matt has a true 'open door' policy that creates a communicative and open office."

"Even before being named managing partner, employees would seek him out to discuss their conflicts, and he would help them bring resolution. That practice has continued since his appointment to Managing Partner and everyone truly feels that their input is being heard."

"Matt cares deeply about maintaining the culture of the firm that has been inculcated by prior Managing Partners. Since his appointment to the role, he has instituted many initiatives to bring the attorneys, staff, and their families closer together. As an attorney and managing partner under 40 years of age, he also brings a modern, realistic, and technology-driven approach to the office. Matt is positioning the firm for future growth in our area and has the incisive, business mind to execute our goals."

"Over the last 13 years, I have been most impressed with Matt's commitment to his loving family while balancing his responsibilities, first as a law clerk for the firm, then as a young associate lawyer, then principal and finally as the managing partner."

Congratulations

Matthew Plummer

for his well-deserved recognition as one of The Business Observer's 40 Under 40

Blalock Walters Managing Partner, Matthew Plummer, has proven his ability to lead the firm while sustaining its 90-year legacy to make a positive difference for our clients and community. The staff at The Business Observer magazine has recognized his talent and rewarded him this prestigious honor.

A Bradenton/Sarasota native, Matt specializes in banking, real estate, local government and land use law. Matt's tireless dedication to the best interests of his clients, his co-workers and his firm is beyond compare. As a leader, Matt possesses the unique ability to cross generational lines and inspire and motivate all members of his team to achieve common objectives. More importantly, he is an invaluable asset to the Blalock Walters firm, and it will be with his guidance, enthusiasm and foresight that the mission of our organization will continue and thrive. ■



Matt Lapointe Appointed to Board of County Commissioners Health Care Advisory Board

The Manatee Board of County Commissioners has appointed **Matt Lapointe** to the Manatee County Health Care Advisory Board. The purpose of the Health Care Advisory Board is to evaluate, monitor and discuss the health care system in Manatee County, then make recommendations to the Board of County Commissioners.

The Advisory Board reviews evidence-based practices and programs to determine how they can be applied to the county and performs other tasks as requested by the Board of County Commissioners. Matt also serves as chair of the Manatee Chamber of Commerce Health Care Committee.

“Manatee County Government is thrilled by the Board of County Commissioners’ appointment of Mr. Matthew J. Lapointe to the Health Care Advisory Board,” said Joshua Barnett, Manatee County Health Care Services Manager.



Matthew Lapointe
Business, Health Care Law

“Mr. Lapointe’s experience in health law and his involvement in other community health activities provide this board with a critical and unique perspective. The addition of Mr. Lapointe will expand our repertoire of knowledge and experience as we work to inform an approach that improves the health of the low-income, uninsured residents of Manatee County.”

Matt said he is honored to serve on the Advisory Board, noting that “the Board is composed of very bright and energetic people who are committed to improving the health care system in Manatee County, particularly for low-income and uninsured residents. I look forward to contributing what I can to that important mission.”

Matt is a principal in the firm’s Business & Corporate and Health Care Law practice groups. In his Health Care Law practice, Matt advises health care providers and health care institutions on compliance with the HIPAA Privacy and Security Rules, the federal anti-referral law, anti-kickback law, Medicare and Medicaid compliance, as well as compliance with state licensing laws. Matthew has handled numerous health care transactions, including the purchase and sale of physician practices, dental practices, veterinary clinics, nursing homes, and assisted living facilities. ■



For 9th Year In Row Blalock Walters Named To Business Observer’s Gulf Coast Top 500 List

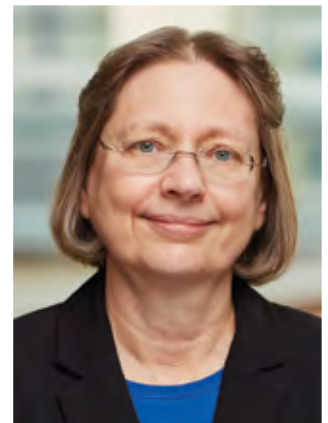
For the 9th consecutive year, the firm has been recognized in the *Business Observer’s* Gulf Coast Top 500 list. Each year the *Business Observer* spends seven months researching companies on the Gulf Coast to rank the top 500 companies from Tampa to Naples by gross revenues. On the 2019 list, which reflects 2018 fiscal year data, Blalock Walters, P.A. ranked 349 by gross revenue.



“Every year we’re scouting for companies, new and old, and it’s always exciting to see who’s new to the list and how veterans of the list have changed over the past couple years,” said Kat Hughes, executive editor of the *Business Observer*. “Covering nine counties that each have thousands of companies, the Top 500 really has become a Who’s Who for leading firms in the region.” ■

Dana Gentry Speaks at Paralegal Association

Dana Gentry held a captivated audience as she shared her invaluable knowledge and experience on wills and trusts with the Southwest Florida Paralegal Association.



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

“The Association had several new faces in the crowd tonight who attended because of the topic and speaker,” said Southwest Florida Paralegal Association President Pamala Roberts. “Dana was well-prepared, well-informed and we hope she will come speak to us again in the near future.”

Dana’s practice concentrates on Estate Planning and Wealth Preservation, Retirement Planning, Estate and Gift Taxation, Generation-Skipping Transfer Taxation and Trust and Probate administration including Ancillary Probate Administration. Her practice involves wills, revocable living trusts and irrevocable trusts, including Charitable Trusts, Charitable Foundations, Grantor Trusts, IRA Conduit Trusts and other Tax Planning Trusts, Durable Powers of Attorney, and Advanced Directive Living Wills. Dana’s clients include individuals from medium to high net worth, individual and corporate trustees, and tax-exempt charities and private foundations. Her areas of concentration allow her to counsel clients in matters of wealth preservation and succession planning for their benefit and for the benefit of their loved ones, and to assist in the execution of the documentation necessary to achieve the clients’ intended results. She is Board Certified by The Florida Bar as a specialist in Wills, Trusts and Estates. ■

Blalock Walters Named Small Business of the Year Finalist By Sarasota Chamber

The Greater Sarasota Chamber of Commerce Frank G. Berlin, Sr. Small Business Awards recognizes small businesses in the Sarasota area based on their impact on the business world and their role in the community.

Finalists are judged on several areas, including innovation of a product or service, business growth and contributions to the community."

Blalock Walters was honored to be named finalist in the 2019 Professional Services Business of the Year category.

To be eligible for the 2019 Small Business Awards, businesses must be a member of The Greater Sarasota Chamber of Commerce in good standing, operate with 75 employees or fewer and be a locally-owned and operated organization under the same ownership for a minimum of three years.

Congratulations to finalists in all categories:

Hospitality and Tourism

Marie Selby Botanical Gardens, The Circus Arts Conservatory and The Players Centre for Performing Arts

Non-Profit

Forty Carrots Family Center, Girl Scouts of Gulfcoast Florida, Inc. and Safe Place and Rape Crisis Center (SPARCC)

Products and Services

Music Compound, RITE Technology and Sabal Palm Bank



Amanda Tullidge, Matthew R. Plummer and Jill McGarry accept the Greater Sarasota Chamber of Commerce Finalist Award for 2019 Professional Services Business of the Year.

Professional Services

Allegiant Private Advisors, Blalock Walters, P.A. and Cumberland Advisors

Retail Business

Joe-Lin Lampshades, Pottery as Art and Unlimited Comfort
Mattress Factory ■



In Loving Memory of

CANDICE STASZEWSKI

We lost Candice Staszewski, a devoted Blalock Walters family member, on November 5, 2019.

Candi joined the firm in 2000 and will be remembered as a hard-working employee and loving friend. Candi was an avid bowler, loved horses and her family.

You are missed, Candi!





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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](#).

Wishing you a joyous holiday season
and a new year full of peace and prosperity.

The goodwill and loyalty of those we serve is the foundation for our success. With sincerest appreciation, the Blalock Walters team thanks you for your continued confidence and trust in us. We look forward to serving you for many years to come!

