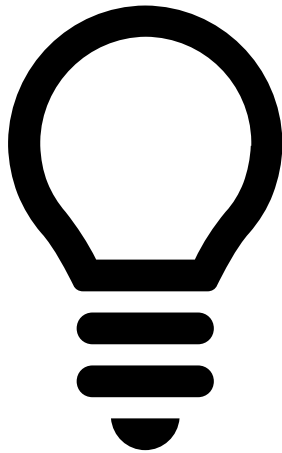




AVOIDING LITIGATION IN YOUR BUSINESS

BY MARY SCOTT LAW

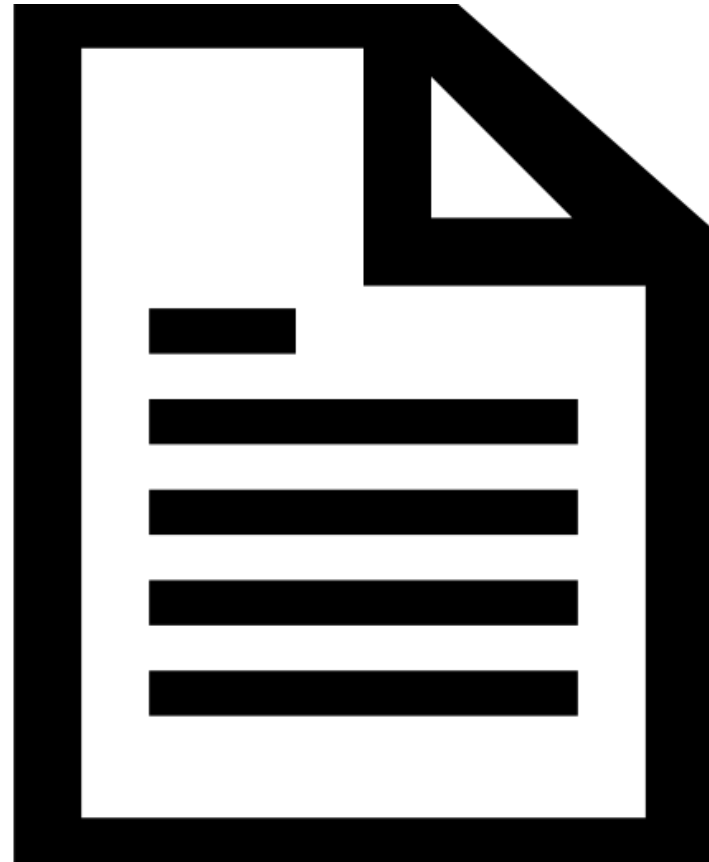
Today's Agenda



- I. Get It in Writing (and save it).
- II. Read BEFORE you sign. And Understand it.
- III. Clean Communications – Text and Email.
- IV. Always a Favorite Topic – Collections!
- V. Questions?

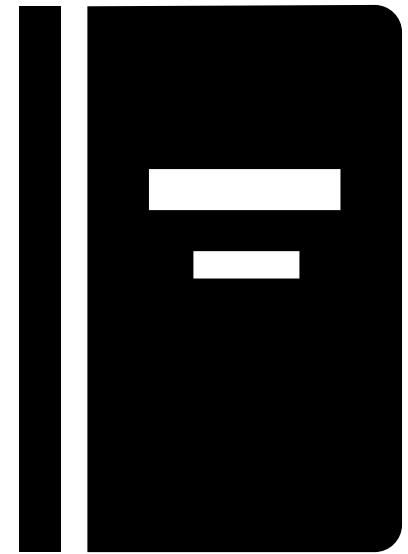
Get it in Writing

Shareholder
Agreement/Operating
Agreement



Get It in Writing

Employee Handbook



Get it in Writing

Purchase Orders/Vendor contracts

- If buyer- Know what you're buying and what happens if you don't like what you get
- If seller- Need buyer to agree to what they are buying, for how much and what happens if they unhappy or you don't get paid

Get it in Writing



- Attorney's Fees
- 18% interest
- Notice provisions
- Merger Clause – Entire Agreement
- Jurisdiction/Venue

Typical Lawyer DISCLAIMER:

- The 45 minutes we have for this presentation is only enough time to give a very broad overview of some of the most common issues seen in business litigation.
- Nothing in this presentation is a guarantee that even if you follow all steps in these slides that you can and will avoid litigation. There are unknown factors and illogical people that cause even the savviest of business persons to end up in court. For this reason I know I am not putting myself out of a job by telling you how you can TRY to avoid litigation.
- Unless you and I have signed a representation agreement, my firm and I do not represent you. This presentation is for informational purposes only.

By continuing to
listen to this
presentation or
read these slides
you agree that
you understand
and agree to the
terms of this
DISCLAIMER.



Read Before You Sign.

"I DIDN'T KNOW THAT WAS IN THERE!"



Read Before You Sign

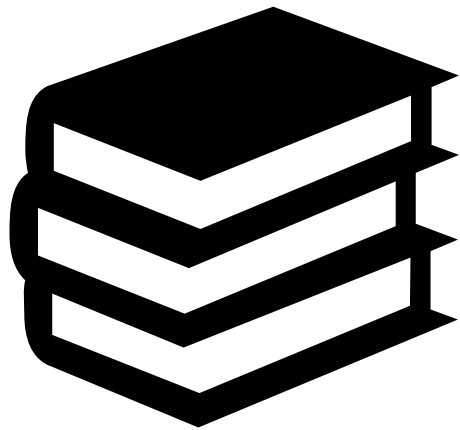
"I DIDN'T UNDERSTAND WHAT IT MEANT!"



Read Before You Sign

- "I was promised but it's not in the signed agreement."
- "Told me not to worry, sign and will be taken care of."

Read Before You Sign



My personal favorite-

- I just thought that was a bunch of "legal stuff"

Clean Communications – Text and Email

- If you don't want it read in court, don't write it.



Clean Communications – Text and Email

- Very little privilege available.
- If it's not with your lawyer, your medical doctor, your clergyman or your spouse, chances are it is discoverable in litigation.

Collections

- Do you know who are you doing business with?



Collections

FREE STUFF!

Division of Corporations

Search companies and fictitious names

<https://dos.myflorida.com/sunbiz/search>

Department of Business and Professional Regulation

Search and verify licences

<https://www.myfloridalicense.com>

Collections

Florida Secured Transaction Registry

Search financing liens

<https://www.floridaucc.com/uccweb/>

Department of State

Search judgment lien filings

<https://dos.myflorida.com/jlilist.html>

Collections



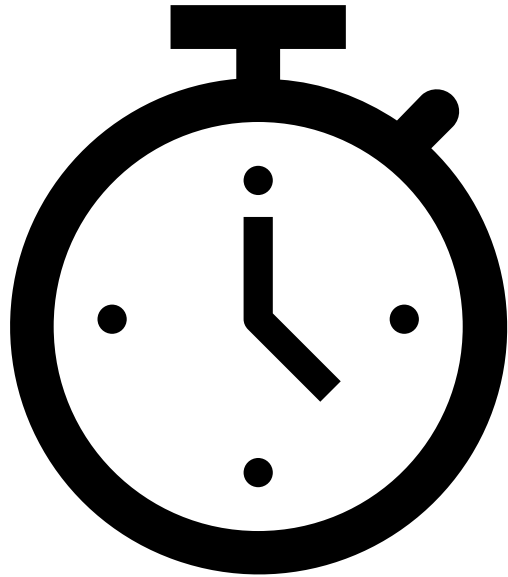
Florida Inmate Search

<https://dos.myflorida.com/library-archives/research/florida-information/govermental/local-resources/county-jails-and-inmate-searches>

Collections

Individual Exemptions in Florida

- Homestead
- Head of Household Wages
- Bank account with Head of Household Wages
- Retirement and Pension Accounts
- Up to \$1000 personal property



Collections

Don't wait too long – more expensive and more difficult to collect

Questions

