



MY “FOURTH QUARTER” YET?



**KEEPING THE PROMISES
YOU’VE MADE TO YOURSELF,
YOUR FAMILY, YOUR COLLEAGUES,
YOUR CUSTOMERS AND YOUR
COMMUNITY**



Nick Niemann, JD
Family Business Continuity Attorney

“In this age of massive disruption, if you, your leadership team and your successors are not Business Pioneers, the odds that you and your Company will continue to be successful are remote.”

Nick Niemann

Dear Family Business Leaders and Trusted Advisors -

Hundreds of Family Business Leaders (and their Trusted Advisors) have trusted us to “look into the future” with them for a very specific reason.

Whether they are a startup or already well into many years with their business, they want to achieve remarkable success in all “four quarters” of their life as a business leader and owner.

And they want to avoid the “Fourth Quarter” Train Wrecks which derail even the best Business Leaders.

None of us want to let down those who depend on us. We all want to keep the promises we have made to ourselves, to our families, to our colleagues, to our stakeholders, to our customers and to our communities.

The Family Business Leaders we work with deploy a Pioneer Mindset. In this age of massive disruption, they know that if they and their team are not amongst today’s pioneers, the odds of continuing their family business success are remote.

These Leaders are today’s Pioneers. You are eager to explore and create new opportunities. You look for new ways to advance the lives of your colleagues, customers and families. You begin with a specific, thoughtful end in mind in everything you do. And you set a course for winning all of your “Four Quarters”.

You know your plan so far has worked well, may not be perfect and is subject to change. You are proceeding every day with your end objectives in mind. You have a very good idea of where you want to head, how to get there, and who you won’t let down.

Our Family Business Continuity Team has worked with over 1,200 Business Leaders/ Pioneers on achieving real world “Fourth Quarter” results. We are working together with today’s Family Business Leaders/Pioneers to grow, develop and strengthen family companies throughout the U. S.

This all begins with understanding what you value most. And then moving ahead with speed, clarity and purpose to deploy what’s needed to stay successful throughout the whole game.

You were successful before we showed up. We invite you to learn more about the 4 Powerful Playbooks which we are deploying with Family Business Leaders/Pioneers who want your hard work and efforts to continue to pay off by seeing and starting with your “Fourth Quarter First.”

Sense of Urgency

“The right leaders feel a sense of urgency in good times and bad, whether facing threat or opportunity, no matter what.”

Jim Collins
How The Mighty Fall

Today’s Reality

“In today’s economy, change is a fact of life. We cannot cling to what’s worked and hope for the best. ”

John Doerr
Measure What Matters

Sincerely,
Nick Niemann

Family Business Continuity Attorney
Partner, McGrath North Law Firm
First National Tower
1601 Dodge Street, Suite 3700
Omaha, Nebraska 68102
www.FourthQuarterFirst.com
402-633-1489
nniemann@McGrathNorth.com

Next Step

To check Nick’s availability to design and deploy a “Fourth Quarter” Game Plan with you, your spouse, your CEO, your President, your partners, your colleague, your mentor, your parent or your client, please call or email.



“Where has the national business media featured you* discussing these topics?”



* No claim of endorsement is made.

The Fourth Quarter Program Applies To All Companies

Small Middle Market Large

“Family Business Planning has finally graduated.”

“AM I IN OR NEAR MY FOURTH QUARTER YET?”

HOW MANY OF THESE MAY APPLY TO YOU?

- Ready, Just In Case.** You plan to keep working on growing your Company for some time yet, but you are seeing it needs to be better structured for your unexpected death, disability or other unexpected exit or opportunity.
- Retirement. Yeah. Maybe.** You are seeing retirement at some point even though you intend to own your Company until your death or disability.
- Partner Options.** You are seeing the need for you and your partners to agree (or revise your agreement) on future ownership buy-sell options.
- Business Model Heading South.** You are seeing or feeling (or being told of) the need to change, fix or improve your Business Model, but you just won't act on it like you used to.
- Get Ready. Get Set. Go.** You want to work towards achieving a certain level of success quickly because you want to be able to exit soon.
- Just In Case.** You aren't ready to exit yet, but you are seeing the need to have a plan in place.
- Get Successor Ready.** You would like to still run your Company for a while, but want to start developing a successor so you can spend more time doing something else, such as traveling with your spouse and family.
- Did It. Next.** You've achieved your goals as a business owner and would like to leave when and if the best opportunity comes up.
- Ready To Coach.** You would like to give an adult child or key colleague the opportunity to start leading the Company (and perhaps be able to coach them for a while).
- Will Team Stick?** You are wondering whether your key colleagues or possible successor will stick with you.
- Slow It Down.** You are ready to retire or slow down as soon as feasible.
- They Grow Up Fast.** You would like to spend more time with your children or grandchildren.
- Spouse Actually Loves You.** Your spouse would like you to retire or slow down.
- So Do Your Children.** Your children would like you to retire or slow down.
- But Stay Invested. Ok?** You would like to retire from most active duties, but remain as owner for a while.
- New Stuff! Really!?!?** You are not sure whether you are able or willing to keep up or catch up with the new technologies or Business Models demanded in your industry.
- Thinking. Thinking.** You are spending more time thinking about what your Company is worth than how to grow it.
- It's The Economy. Again !?!?** You are not sure you want to fight another economic down cycle.
- Window Closing.** You may recognize that valuation multiples or business sector consolidation today may present a temporary window of opportunity for your exit.
- Find Out.** You want to take some time to test the market for the sale of your Company.
- Uncle Sam.** You still love your country but you don't want to leave 40-60% to your Uncle Sam.
- Not Investing More.** Taking your Company to the next level will require a new level of debt or equity investment which may not be desired or feasible.
- Time To Diversify.** As you've reached this point in your life, you have a decreasing tolerance for risk and a desire to remove some financial chips from the table.
- Customers Thinking.** You realize that some customers may start wondering whether you have a capable successor to continue your great service for them.
- Enough.** Fatigue and boredom may be starting to set in.
- Turn The Page.** You can start to see getting ready to start a new chapter in your life or have just lost the “fire in the belly” to continue pursuing your business.
- Someone Is Stepping Up.** You never thought you would sell, but someone is offering you the right price and the right terms.
- Anyone? Anyone?** You are wondering whether anyone will be interested in buying your Company at the price and terms you want.
- Keeping Healthy.** You or your spouse or other family member are starting to encounter some health concerns or you want to take some steps to head off the development of health concerns.
- Staying Step Ahead.** You realize your banker and surety may start wondering if your Fourth Quarter will impact their comfort level with your Company.
- You Groomed Them.** You have some adult children or key colleagues who are starting to insist on leadership or ownership if they are to remain with the Company.
- Want To Help Others.** You have community or charitable ventures you would like to spend more time pursuing.
- Next Game.** You want to exit your Company and invest in a new venture.
- Won't Wait Till Too Late.** You realize waiting for the “two minute warning” won't be the best route for anyone impacted by your decisions.
- You're Cashin Out.** You are ready to sell your Company and cash out now.
- DIY? No.** You realize your expertise is in running your Company, not in do-it-yourself Succession and Exit Planning or Estate Planning.
- Family.** You are increasingly aware certain actions are needed to be sure your family is taken care of.
- Gotta Protect Others As Well.** You know you are in your “Fourth Quarter” and you don't want your Company, family, colleagues, or customers to be at risk from the changing personal, business and financial dynamics that will hit in your personal “Fourth Quarter”.
- Best Course.** You have come to realize that the best course for your family, your long term colleagues, and your valued customers, is for you to lay in the ground work and the planning for your exit, whether your exit occurs sooner or later, so that you have best provided for the well being of your family, the continuity your business, the continuity of employment for your valued colleagues and the continuity of products and services for your valued customers.



“Are Family Business Leaders like me around North America working with you?”

Yes. Some of the places I've traveled to work with CEOs and other Business Leaders throughout the U.S. and Canada include:

United States

- | | |
|--|---|
| Alabama
Birmingham | Minnesota
Burnsville
Minneapolis
New Ulm
St. Louis Park
St. Paul |
| Arizona
Phoenix
Scottsdale | Missouri
Kansas City
St. Charles
St. Louis |
| California
Berkeley
Carlsbad
Cathedral City
Commerce
Downey
Glendora
Los Angeles
Menlo Park
Monterey
Oakland
Ontario
Palm Desert
Pomona
Salinas
San Diego
San Francisco
Santa Monica | Nebraska
Ashland
Bellevue
Columbus
Elkhorn
Grand Island
Gretna
Kearney
La Vista
Lincoln
Norfolk
Omaha
South Sioux City
York |
| Colorado
Colorado Springs
Denver
Greeley | Nevada
Las Vegas |
| Florida
Boca Raton
Fort Lauderdale
Jacksonville
Orlando
Tampa | New Jersey
Cranford
Morristown |
| Georgia
Atlanta | New York
New York City |
| Illinois
Chicago
Naperville
Quincy | North Carolina
Charlotte
Greensboro
High Point |
| Indiana
Indianapolis | North Dakota
Bismarck |
| Iowa
Ames
Cedar Falls
Cedar Rapids
Council Bluffs
Davenport
Des Moines
Ida Grove
Iowa City
Glenwood
Sioux City
Waterloo | Ohio
Akron
Canton
Cincinnati
Cleveland
Columbus
Dalton |
| Kansas
Kansas City
Manhattan
Topeka
Winfield | Oklahoma
Oklahoma City |
| Kentucky
Louisville | Oregon
Portland |
| Louisiana
Mandeville
Monroe
New Orleans | Pennsylvania
Harrisburg
Lancaster
Philadelphia
Pittsburgh
York
Zelienople |
| Maryland
Easton | South Dakota
Pierre
Sioux Falls |
| Massachusetts
Boston | Texas
Dallas
Houston
College Station
San Antonio |
| Michigan
Detroit
Lansing
Petoskey
Traverse City | Utah
Alpine
Bountiful
Park City
Salt Lake City
Sandy |
| | Wisconsin
Eau Claire
Madison
Milwaukee |
| | Canada |
| Calgary, BC
Vancouver, BC
Winnipeg, MB
Burlington, ON | Markham, ON
Niagara Falls, ON
Ottawa, ON
Toronto, ON |

North America is incredibly easy to get around in. Where you reside is simply not a factor in us working together.

Results Not Wanted



Results Wanted



Results Achieved By



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

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

Inspired By Excellence. Committed To Your Success.

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

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

We have been working with bankers, key partners, manufacturers and transportation companies to finance, produce and deliver better products to communities around the world. We have been working with family business pioneers and their other trusted advisors to transform, grow, carry on and transition the family business dream, the backbone of our great country.

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

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

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

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

Inspired by excellence. Committed to your success.

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

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



Nick Niemann, JD
Family Business Continuity Attorney
Partner, McGrath North Law Firm
1601 Dodge Street, Suite 3700
Omaha, NE 68102
402-633-1489
nniemann@mcgrathnorth.com
www.McGrathNorth.com
www.FourthQuarterFirst.com

What We Do

We "look into the future" with Family Business Leaders to design and deploy what's really needed for you, your family and your colleagues to win the whole game.

Why We Do It

Because we believe in the greatness of the family business dream.

Copyright © 2009-20 Nick Niemann. All Rights Reserved. This Guide is intended for information purposes and is not to be considered by the reader as business, legal, tax or other advice. We are fortunate to have many clients give us positive feedback about working with us. We have included some of their Testimonials in this Guide or on our website. Please keep in mind that the success of any business or legal matter depends on the unique circumstances of each matter. We do not guarantee particular results for future clients based on the successes we have achieved in the past. Please also note the descriptions of attorney practice areas contained in this Guide are for illustration, as the actual scope of practice for any attorney can vary greatly. The description of attorney practice areas contained in this Guide (and the designation as a Family Business Continuity Attorney) does not mean any agency or board has certified such attorney as a specialist or expert. See www.FourthQuarterFirst.com Disclaimer and Legal Notice page for additional important information. (Rev. 8-5-20).