

BEST LAWYERS® RECOGNIZES 10 ATTORNEYS FROM O'NEIL, CANNON, HOLLMAN, DEJONG AND LAING S.C.

Ten attorneys from the law firm of O'Neil Cannon were selected for inclusion in the 2013 edition of *The Best Lawyers in America*®. Nearly 1/3 of the Firm's attorneys were listed in 16 distinct practice areas to include:

- James G. DeJong – Corporate Law; Mergers and Acquisitions Law; Securities/Capital Markets Law
- Seth E. Dizard – Bankruptcy and Creditor Debtor Rights; Insolvency and Reorganization Law; Litigation-Bankruptcy
- Peter J. Faust – Corporate Law
- John G. Gehringer – Commercial Litigation; Construction Law; Corporate Law; Real Estate Law
- Dennis W. Hollman – Corporate Law; Trusts and Estates
- Dean P. Laing – Commercial Litigation; Personal Injury Litigation-Plaintiffs; Product Liability Litigation-Defendants
- Thomas A. Merkle – Family Law

Since its inception in 1983, *Best Lawyers* has become universally regarded as the definitive guide to legal excellence. Because *Best Lawyers* is based on an exhaustive peer-review survey in which more than 39,000 leading attorneys cast almost 3.1 million votes on the legal abilities of other lawyers in their practice areas, and because lawyers are not required or allowed to pay a fee to be listed, inclusion in *Best Lawyers* is considered a prestigious honor. *Corporate Counsel* magazine has called *Best Lawyers* “the most respected referral list of attorneys in practice.”

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WISCONSIN... KEEP MANUFACTURING

Federal tax law allows a special manufacturing deduction, which provides incentives to keep jobs and manufacturing activity in the United States. The State of Wisconsin has disallowed this special deduction for state tax purposes over the past several years; however, with the passage of the 2011 Wisconsin Budget, an income tax credit has been included in this State's budget to encourage and strengthen manufacturing in Wisconsin.

This credit is available to individuals and certain entities for taxable years commencing on or after January 1, 2013, for manufacturing and agricultural activities in the State of Wisconsin. The credit will be phased in over a 4 year period beginning next year, and when fully phased in, the credit will be equal to 7.5% of a company's qualified production activities income. Thus, the credit will effectively eliminate the rate of tax on Wisconsin manufacturing income.

Some of the differences in the new Wisconsin credit from the federal deduction include:

- The Wisconsin credit is only available for income from manufacturing and agricultural activities.
- The Wisconsin credit is not allowed for construction income or other activities that qualify for the federal deduction.
- Further, the Wisconsin credit only applies for manufacturing and agricultural income allocable to Wisconsin and is not applicable to income allocated to other states.

An individual, estate, trust, partnership, limited liability company, or corporation can claim the credit if the claimant owns or rents and uses in Wisconsin real property and improvements assessed as property under Wisconsin Statute § 70.32(2)(a)4, or owns or rents and uses in Wisconsin real and personal manufacturing property assessed under Wisconsin Statute § 70.995.

The credit can be taken against the entity's corporate income tax liability and for partnerships, LLCs or S corporations, against the personal tax liability of the entity's partners, members or shareholders in proportion to his or her ownership interests. It is important to note that any credit that is claimed is considered income and must be reported as income on the claimant's Wisconsin franchise or income tax return in the taxable year immediately after the taxable year in which the credit is computed. Further, a taxpayer may carry forward any unused credits against income or franchise taxes due for up to 15 years.

This tax credit is new and the benefits can be significant. If you have any questions about this tax credit, or if you need assistance in determining whether you can benefit from this credit, please contact us.

O'NEIL, CANNON, HOLLMAN, DEJONG AND LAING WELCOMES ATTORNEY SARAH MATT TO THE FIRM

O'Neil Cannon recently hired Attorney Sarah C. Matt to expand its Litigation Group. She will assist clients with a variety of civil litigation matters, primarily in the areas of commercial and

business litigation. Sarah graduated from Marquette Law School, cum laude, and received a Cali Excellence for the Future Awards for receiving the highest grade in Advanced Brief Writing and Criminal Law.

O'Neil Cannon, founded in Milwaukee in 1973, is a full-service legal practice that primarily focuses on providing business law and civil litigation services to businesses and their owners. The Firm represents corporations, institutions and partnerships at all stages of the business life cycle, helping them start, grow and transition from one generation to the next. We also assist business owners with their personal legal needs including tax and estate planning, family law and litigation—including personal injury litigation.

ATTORNEY GUMINA AUTHORS CHAPTER 19 OF THE IICLE “ILLINOIS CONTRACT LAW” HANDBOOK

Joseph E. Gumina will be a contributing author for the 2012 Edition of the Illinois Institute for Continuing Legal Education's treatise titled "Illinois Contract Law." Attorney Gumina has authored Chapter 19 entitled *Guidelines for Drafting Specific Contract Clauses in Employment Agreements*. This chapter provides practical advice and examples on how to properly draft an employment agreement and explores extensively the developing law with regard to the enforceability of arbitration provisions in employment contracts. In 2010, Attorney Gumina was the general editor and contributing author for the publication titled *Illinois Employers' Management Handbook—Leadership Training for Illinois Supervisors* providing front-line supervisors and managers practical advice on complex legal issues employers frequently encounter in the workplace.

Attorney Gumina leads O'Neil, Cannon, Hollman, DeJong and Laing S.C.'s labor and employment practice. Attorney Gumina has extensive experience representing management in a vast array of employment and labor matters and is a frequent speaker on the latest topics facing employers. Attorney Gumina is licensed to practice in the states of Illinois and Wisconsin and has represented clients in litigation matters in both state and federal courts in Illinois and Wisconsin.

SUCCESSION PLANNING SEMINAR

On April 26th, Joseph Maier was a featured speaker for a Wisconsin Underground Contractors Association member seminar focused on Succession Planning.

HELPING CLIENTS SELL A SMALL OR MEDIUM SIZED BUSINESS

On April 25th, Attorney Joe Maier was the featured speaker in a day long National Business Institute Seminar entitled “Helping Clients Sell a Small or Medium Sized Business.” Mr. Maier’s presentation focused on the tax aspects of selling a business and the valuation issues involved in the planning stages of a business sale.

mitsubishi heavy industries of america



“...because when it comes right down to it, you just need to win.”

-Dean Laing

Job well done.

O’Neil Cannon represented Mitsubishi Heavy Industries America during the four-year dispute over costs related to the construction of the retractable roof at Miller Park. This complex case involved 162 depositions in three countries, the production of 2.9 million pages of documents, and several trips to the Court of Appeals. After three days of mediation involving 22 attorneys from seven states, a settlement was reached which benefited Mitsubishi, the Baseball Park District, and the taxpayers of the five county baseball district.

We are proud to have been an integral part of this negotiation, achieving the following result for our client:

- Mitsubishi paid nothing on the Baseball Park District’s \$50 million claim
- Mitsubishi received \$18 million on its counterclaim
- OCHDL obtained a significant ruling, which resulted in Mitsubishi’s litigation costs being 100% covered by insurance

When disputes arise, you need someone looking out for your best interests. We are well-known for our ability to succeed in high-stakes, complex business litigation cases, successfully representing both plaintiffs and defendants during court proceedings. Our unique, cross-disciplined practice provides our clients with effective, street-smart representation.

When you need to get the job done.

We know how to make it happen.

Headquarters: New York, NY

Offices: Numerous locations throughout the world

TEAM INDUSTRIES



Building strong connections.

"We've become a trusted sounding board and advisor."

-Tom Merkle

Just outside of Kaukauna, Wisconsin lies the North American leader for on-time delivery of high quality pipe fabrication and fabricated vessels. TEAM Industries, Inc. prides itself on "Systemic Quality Control," which ensures its products comply with exacting industry standards, providing a high level of customer value.

Serving the petro-chemical and power industry is a daunting challenge. From the complex bidding process, to fluctuating material costs, to unpredictable timelines and regulatory requirements, successful risk management is critical to a positive outcome. That's where O'Neil, Cannon, Hollman, DeJong and Laing can help. Our 40 years of business-to-business experience allows us to provide advice and counsel as a foundation for sound decision making, and assertive representation in the event of litigation. The trust earned over the years has even placed one of our seasoned attorneys, Tom Merkle, on TEAM's Advisory Board.

In the pipe fabrication business, problems and solutions are sometimes miles apart. When everything's on the line, you need a law firm that knows your business, understands your objectives, and fights to protect your interests.

We can be a valuable player on your team.

Headquarters: Kaukauna, WI

Fabrication Facilities: Kaukauna, WI, Oconto Falls, WI and Port Arthur, TX

DICKTEN MASCH PLASTICS



Turning skeptics into believers.

“Relationships can be edgy... but great honest work has a way of curing that.”

-Joe Gumina

From its humble beginnings as a local tool shop in 1941, no one predicted the company founded by Erich Dickten and Al Masch would grow to become the national thermoplastic and thermoset plastics leader, Dickten Masch Plastics. It was nearly 70 years later when the current visionaries of the company, CEO Steve Dyer and CFO Steven Braun, were introduced to O’Neil, Cannon, Hollman, DeJong and Laing. Dyer and Braun met us with a healthy dose of skepticism, particularly since they had not had great experiences with law firms—any law firm. Lawyers were seen as pricey, unresponsive, and superficial—nothing more than “a necessary evil.” Against that backdrop, we began our relationship with Dickten Masch Plastics and once again, no one anticipated the success of the relationship that would follow.

In two short years, the bold vision of Dyer and his team was realized. Together, we were able to achieve the implementation of an international acquisition plan that greatly expanded the reach of Dickten Masch’s capabilities and the markets they serve. As our lawyers worked to provide the company with complex contractual counsel and guidance through human resource challenges, we found that our high integrity and Midwestern work ethic matched up nicely with their own storied history.

In today’s challenging global economy, Dickten Masch Plastics believes, “You need more than parts from your suppliers. You need partners—people who can help you reduce costs, save time, lower risk and improve quality throughout your value stream.”

We believe that too.

Headquarters: Nashotah, WI


Production Facilities: Ankeny, IA and Monterrey, Mexico

MARSH ELECTRONICS



Representing the marketplace interests for over 30 years.

A closely held distributor of electronic componentry, Marsh Electronics is the kind of Wisconsin-based firm that the entire state can be proud of. A successful, mid-size employer, and a regional leader in distributing a wide range of electronic components and solutions throughout the North Central United States.

Although founded in 1937, O'Neil, Cannon, Hollman, DeJong and Laing came on board back in the 1980's. In that time, the company was acquired by a larger National firm, then  purchased back by the current management team. O'Neil was present at both transactions ensuring a smooth transition. Likewise, our firm has been involved in virtually every aspect of their business — from employment, contract, human resources, and more.

President John Casper has valued our relationship so much that our President, Jim DeJong, was asked to be a member of Marsh Electronics' Board of Advisors.

Headquarters: Milwaukee, WI

Branch Offices: Appleton, WI, Greenvilee, WI,

Hoffman Estates, IL, Twinsburg, OH, Columbus, OH,

Bloomington, MN, Nobleville, IN

WANT TO SHARE YOUR STORY? Just let us know.