

## Kevin D. Birkhead

Associate

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*Someone is sitting in the shade today because someone planted a tree a long time ago. -- Warren Buffett*



Kevin assists individuals, families and business owners with estate planning (including preparation of wills, health care declarations (living wills) and powers of attorney) and provides special attention to each client's unique goals and family dynamics. He works collaboratively with his clients to structure estate and business plans to achieve their objectives with maximum tax efficiency. Kevin also has extensive experience in estate and trust administration.

Kevin represents closely-held businesses on a broad array of issues, including organizing corporations, partnerships and limited liability companies; assisting with the purchase or lease of real property, and negotiating employment and commercial contracts. He has advised clients on numerous capital transactions including asset purchases, corporate mergers and acquisitions, conversions, and reorganizations. He has implemented financing, and facilitated the partnering of businesses and investors through the creative use of joint venture agreements, limited partnerships and other vehicles. In addition to assisting clients with planning and transactional matters, Kevin has experience in the litigation of business and estate disputes.

Kevin was recently chosen to partake in the Montgomery County Bar Association's Leadership Academy for the class of 2017.

Kevin holds a masters degree in taxation from Temple University School of Law, where he received the Graduate Tax Award for posting the highest grade point average. Prior to joining Timoney Knox, Kevin practiced estate and business law with a Huntingdon Valley firm and

### Areas of Practice

- Business, Corporate and Tax Law
- Commercial and Civil Litigation
- Real Estate and Zoning Law
- Wills, Trusts and Estates Law

### Bar Admissions

- Pennsylvania, 2008
- New Jersey, 2008

### Education

- Temple University School of Law, LL.M., Taxation, with distinction, 2015
- Rutgers University School of Law-Camden, J.D., *magna cum laude*, 2008
- Saint Joseph's University, B.S., Business Administration, 2003

was an associate in the corporate department of a large New Jersey law firm.

Kevin lives in Bucks County with his wife, Rose, and their two children, Patrick and Shannon.

## **Kevin D. Birkhead**

### **Representative Matters**

- Kevin advised a client on the transfer of her shore home to a limited liability company structured to avoid estate, gift and inheritance tax and allow the client to retain decision-making power over any renovation of the home.
- Kevin represented an independent insurance agency in connection with an asset sale that included negotiation of a stock purchase and employment agreement between the purchaser and seller's principal, and structured the transaction to qualify as a corporate liquidation and achieve significant tax savings.
- Kevin guided an elderly client on the transfer of her home to her daughter, who had been caring for her in the home for many years, in a manner which allowed to family to take advantage of an exception to the five-year look back period for Medical Assistance and avoid the depletion of the value of the home to pay for nursing home care.
- Kevin successfully petitioned the Orphan's Court to appoint his client as administrator of the estate of a family member who had died more than twenty years prior, allowing the client to sell real estate holdings and move forward with the settlement of related estates.
- Kevin has negotiated numerous construction contracts and related agreements to realize business objectives while protecting the legal interests of his contractor clients.

### **Published Works**

- Estate Planning in Pennsylvania, Fourth Edition, PBI Press, 2016

### **Classes/Seminars Taught**

- Closing the Estate: Settlement Agreement or Court Approval, Estate & Elder Law Symposium, Pennsylvania Bar Institute, 2016.
- Taxes and Business Strategy, Entrepreneurship Bootcamp for Veterans with Disabilities at Saint Joseph's University, 2016
- Interaction Between Fiduciary Accounting Income, Trust Taxable Income and Distributable Net Income, How to Prepare Fiduciary Accounts, Pennsylvania Bar Institute, 2015
- How to Prepare Fiduciary Accounts & Avoid Common Traps, Pennsylvania Bar Institute, 2014
- Business Succession Planning, Panelist for Society of Financial Service Professionals - University Partners Program, Saint Joseph's University, 2013.