



## Marcel J. Bernier

Partner

860-240-6087 | mbernier@murthalaw.com

**MURTHA  
CULLINA**

### Education:

Florida State University (B.A., *magna cum laude*, 1979)

University of Connecticut Law School (J.D., 1982)

Boston University (LL.M in Taxation, 1985)

### Description:

Mr. Bernier is the Chair of the firm's Corporate Practice Group and is the Co-Chair of the firm's Privately Owned Business Group. Mr. Bernier has practiced corporate, limited liability company and tax law for over thirty years. He serves as general counsel to many businesses and provides advice with respect to structuring new business entities, acquisitions, sales, mergers, reorganizations, deferred compensation, phantom equity plans, buy-sell agreements and business succession planning. He has drafted over 100 operating agreements, over 100 employment agreements and over 100 buy-sell agreements. He has completed over 250 business purchase and sale transactions. His accounting and tax background are helpful in structuring and negotiating business transactions.

Mr. Bernier represents many family businesses with respect to general business matters and business succession planning.

He represents many professional firms, including medical, engineering and law practices with respect to practice acquisitions and sales, the admission and the retirement of partners, employment agreements, operating agreements, buy-sell agreements and practice succession planning.

Mr. Bernier advises high net worth clients with respect to estate planning, minimizing federal estate taxes and probate administration matters.

He majored in accounting at Florida State University, received his law degree from the University of Connecticut School of Law and received a Masters of Laws degree in Taxation from the Boston University Graduate Tax Program.

Mr. Bernier is a member of the Connecticut Bar Association Committee which is drafting the new Connecticut Uniform Limited Liability Company Act. He was a member of the Connecticut Bar Association Subcommittee which drafted the existing Connecticut Limited Liability Company Act and was a member of the Connecticut Bar Association Subcommittee which drafted the Connecticut Entity Transactions Act. He is also a member of the Business Law Section Executive Committee, a Co-Chair of the LLC Committee of the Business Law Section and a member of the Tax Section Executive Committee.

### Publications:

- "Preserving Your Business for the Next Generation," Chapter 3 of The ABA Practical Guide to Estate Planning, published by the American Bar Association, 2011
- "Business Exit Strategies" published by the Hartford Business Journal, May 2010

### Speaking Engagements:

- "Drafting Enforceable Restrictive Covenants" seminar for the Business Law Section of the Connecticut Bar Association, May 2014

- "Connecticut Entity Transactions Act ("CETA")" seminar for the Connecticut Bar Association, March 2014
- "LLC Developments" seminar for the Business Law Section of the Connecticut Bar Association, November 2013
- "LLC Fiduciary Duties - To Be or Not to Be? That is the Question" seminar for the Connecticut Bar Association, June 2013
- "Letters of Intent for Business Purchase and Sale Transactions" seminar for M&A Source, May 2011 and June 2013
- "Exiting Your Business, Protecting Your Wealth - Legal Agreements" seminar for Pinnacle Equity Solutions, June 2009 and September 2010
- "Duties of a Director of a Nonprofit Corporation" seminar for the directors of the Connecticut State Medical Society, May 2010
- "Tax Considerations in Choice of Entity: LLCs" seminar for the Connecticut Bar Association, December 2009
- "Buy Sell Agreements and Business Exit Strategies" seminar for business owners, October 2009
- "Choice of Entity: To LLC or Not to LLC?" seminar for business owners, October 2009

#### **Practices & Industries:**

- Business and Finance
- Distributor, Dealer, Franchise Group
- Family Business
- Health Care
- Mergers and Acquisitions
- Private Equity and Venture Capital
- Private Investment Funds
- Privately Owned Businesses
- Tax
- Trusts and Estates

#### **Bar & Court Admissions:**

- Connecticut
- U.S. Tax Court
- U.S. District Court, District of Connecticut

#### **Memberships:**

- American Bar Association, Section of Business Law
- American Bar Association, Section of Taxation
- Connecticut Bar Association, Business Law Section Executive Committee
- Connecticut Bar Association, Tax Section Executive Committee
- Connecticut Bar Association, Co-Chair of the LLCs Committee
- Connecticut Bar Association, Co-Chair of the Connecticut Uniform LLC Act Committee
- Connecticut Bar Association, Past Member of the Connecticut Entity Transactions Committee
- Tax Club of Hartford

#### **Recognition:**

- SuperLawyers, Closely Held Business, Mergers & Acquisitions, Tax
- AV® Preeminent™ Peer Review Rating by Martindale-Hubbell for over 15 consecutive years

#### **Community Activities:**

- West Avon Congregational Church, Chair of the Rebuilding Together Hartford Committee
- West Avon Congregational Church, Past Chair of the Board of Deacons
- West Avon Congregational Church, Past Chair of the Personnel Committee
- West Avon Congregational Church, Past Chair of the Search Committee
- West Avon Congregational Church, Past Chair of the Youth Council

- West Avon Congregational Church, Past Member of the Board of Christian Education
- West Avon Congregational Church, Past Member of the Church Council
- West Avon Congregational Church, Past Member of the Capital Campaign Committee
- West Avon Congregational Church, Past Member of the Endowment Committee