



**PRACTICE FOCUS**

Mr. Fineburg is recognized as one of Philadelphia's most respected business lawyers whose substantial knowledge of tax law provides clients with strategic and cost-saving benefits in connection with commercial transactions, taxation and wills, trusts and estates matters. Known for his ability to resolve complicated matters effectively, Mr. Fineburg has assisted businesses and individuals with the organization of their finances, business and real estate affairs, and the structure of their assets (i.e., in LLCs, partnerships, corporations, trusts or joint ownership). He has substantial expertise in the preparation of buy-sell agreements for co-owners who are family members or unrelated business partners and has handled the resolution of shareholder and partner disputes and buy-outs. In addition, to working on bank financings, business contracts and employment matters for his business clients, Mr. Fineburg also provides advice on business acquisitions and sales. Mr. Fineburg, who began his law career as a commercial litigator and bankruptcy lawyer, frequently provides litigation counsel and assistance to a wide range of firm clients. His articles have appeared in the Pennsylvania CPA Journal, the Journal of S Corporation Taxation and other publications. A graduate of Washington University in St. Louis, Mr. Fineburg received his law degree from the University of Missouri and a Master of Laws in Taxation (LL.M) from the New York University School of Law, Graduate Division.

Mr. Fineburg is the Managing Shareholder of the Philadelphia office and is also a member of the Board of Directors at Offit Kurman.

**HERBERT R. FINEBURG**

**Principal, Shareholder and Philadelphia Office Managing Partner, Philadelphia**

**PRACTICE AREAS**

- Business Law and Transactions
- Estates and Trusts
- Mergers and Acquisitions
- Tax Law

**ACTIVITIES**

- Philadelphia Bar Association, member
- Pennsylvania Bar Association, member
- Washington, D.C. Bar Association, member
- Missouri Bar Association, member
- American Bar Association, member, Section on Taxation and Real Property & Probate Law
- Board of Directors for Exit Planning Exchange (XPX) Philadelphia

**PUBLICATIONS**

- "Avoiding an Adverse Tax Impact on Death of an S Corporation Shareholder" The American Bar Association Tax Times, Vol. 40 No. 2 - Winter 2021 (March 12, 2021)
- "Protecting a Married Child's Inheritance: The Benefits of a Parent Using a Trust" The Legal Intelligencer; Special Section February 2021: Wealth Management Trusts & Estates (February 2021)
- "Using an LLC for Ownership of a Vacation Home" Pennsylvania CPA Journal, Volume 90, Number 3 (Fall 2019).
- "Changes to Uniform LLC Act May Have Unexpected Impact" Pennsylvania CPA Journal, Volume 89, Number 3 (Fall 2018).
- "How to Make Tax-Efficient Gifts to Children, Grandchildren for Their Education" Legal Intelligencer Wealth Management/Trusts & Estates Supplement (February 12, 2018).
- "Take a Multidisciplinary Approach to Exit and Succession Planning" Family Business Magazine (March/April 2017).
- "Using Bloodline Multi-Generational Trusts in Estate Planning" Legal Intelligencer Wealth Management/Trusts & Estates Supplement (February 14, 2017).
- "Intentional Use of a Defector Grant Trust in Estate Planning" Pennsylvania CPA Journal, Volume 87, Number 4 (Winter 2017).
- "Inherited IRAs No Longer Protected Unless You Name A Trust As Beneficiary Or A Spousal Rollover Is Elected" Offit Kurman Legal Blog (2014).
- "Estate Planning for Businesses" Former editor of Rabkin & Johnson Current Legal Forms with Tax Analysis, Volume 7A.
- "Litigation Support: Limited Privilege Extended to Tax Advisor" Pennsylvania CPA Journal (Winter 1999).
- "Signature of the Future: The Eyes May Have It" The Legal Intelligencer (Fall 1999).
- "Accountant's Papers Protected by Attorney-Client Privilege" Journal of the Pennsylvania Institute of CPAs (Winter 1998).
- "Passive Activity Losses Under the 1986 Act" Pennsylvania CPA Journal, Fall 1987, at 13.
- "Carryover of Disallowed S Corporation Losses and Deductions" Journal of S Corporation Taxation (Warren, Gorham & Lamont, Winter) (1994).
- "Municipal Borrowing After Tax Reform", Co-author, The Winchell Company (October 1986).
- "Grasping Pennsylvania's Inheritance and Estate Tax Act" Pennsylvania CPA Journal (Fall 1984, at 7)

**SPEAKING ENGAGEMENTS**

- *Simulated Legal Negotiation*, Virtual Panel Presentation with Exit Planning Exchange (XPX) Philadelphia, PA

(January 26, 2021)

- *A Deal Starts with One: M&A in the Life Sciences Industry*, Panel Presentation with Drucker & Scaccetti and Maryland Tech Counsel at the Pyramid Club, Philadelphia, PA (June 5, 2019).
- *About to be Flush: How to Play a Winning Hand*, Presentation with Morgan Stanley at Life Sciences PA, Wayne, PA (May 22, 2019).
- *The Owner's Journey*, Panel Presentation with Bank of America at The Union League, Philadelphia, PA (April 30, 2019).
- *Tax Credit Programs Benefiting Our Region's Businesses: Tax Credit Programs and Changes Impacting Our Region's Businesses*, Presentation with Drucker & Scaccetti at The Chamber of Commerce for Greater Philadelphia, Philadelphia, PA (September 8, 2016).
- *What Do You Mean My Sale Isn't 100% Cash & Carry?*, Presentation at XPX-Philadelphia October breakfast meeting, Pyramid Club, Philadelphia, PA (October 21, 2015).
- *The 11th Hour Estate Plan*, Presentation at XPX-Philadelphia September breakfast meeting, Pyramid Club, Philadelphia, PA (September 16, 2015). [Click here for video footage.](#)
- *Innovative Use of Trusts for State Income Tax, Estate and Asset Protection Planning*, Presentation at The Bryn Mawr Trust Company breakfast seminar, Haverford, PA, (May 13, 2015).
- *Business Killers*, Presentation for a Vistage Group, Villanova, PA, (March 10, 2015).
- *Is NOW the Time? What is Your Business Actually Worth and How Much Do You Need to Retire?* Panel at Offit Kurman with Howard Ross of LLR Partners, Michael Mufson of Mufson Howe Hunter, Greg Aloia of Abacus Wealth Partners, and moderated by Craig Karasin of VentureScope, LLC, Philadelphia, PA, (February 23, 2015).
- *The Necessity of Estate Planning - Addressing the Misconception That Trusts are Complicated*, at Karr Barth Associates, Inc., Bala Cynwyd, PA, (December 5, 2014), at First CornerStone Bank, King of Prussia, PA, (November 5, 2014).
- *Faculty Panelist, How to Make the Most Effective Use of Family Limited Partnerships: Strategies and Pitfalls in the Current Environment*, sponsored by the Pennsylvania Institute of Certified Public Accountants and the Philadelphia Bar Association (1999).
- *Faculty Panelist, How to Make the Most Effective Use of Family Limited Partnerships: Strategies and Pitfalls in the Current Environment*, sponsored by the Pennsylvania Institute of Certified Public Accountants and the Philadelphia Bar Association (1999).
- *Symposium on Pass-Through Entities: The Legal and Accounting Aspects*, Panel moderator, sponsored by the American Association of Attorney-Certified Public Accountants (1998).
- *Estate Planning Update*, sponsored by the New Jersey Society of Certified Public Accounts (1994).
- *Estate Tax Audits*, Pennsylvania Institute of CPAs (1993).
- *Multi-Borrower Loan Transactions: Legal Issues and Strategies*, sponsored by the Pennsylvania Bar Association.
- *Federal Estate Tax Planning*, sponsored by Mellon Bank (1992).
- *Year End Tax Planning*, sponsored by The Wharton School Alumni, University of Pennsylvania (1989).
- *Annual Federal Tax Conference*, Pennsylvania Institute of CPAs (1986 and 1987).
- *Pension, Retirement and Compensation Planning after the Tax Reform Act of 1986*, Pennsylvania Institute of CPAs (1987).
- *Municipal Borrowing after the Tax Reform Act of 1986*, sponsored by Mellon Bank (1986).

#### **AWARDS & RECOGNITION**

- Finalist for the 14th Annual M&A Advisor Awards. September 2015.
- Mr. Fineburg has been awarded the *AV Preeminent* designation by members of the Bar and the Judiciary, being the highest possible rating and honor in both *Legal Ability & Ethical Standards* for 2021 and prior years from 2001, as conducted by Martindale-Hubbell Peer Review Ratings.

#### **EDUCATION**

- New York University School of Law, LL.M. in Taxation (1982)
- University of Missouri School of Law, J.D. (1976)
- Staff Member, *The Urban Lawyer*, a law review journal on local government law published by The American Bar Association
- Washington University, The Olin School of Business, B.S. in Business Administration (1972)

#### **ADMISSIONS**

- Pennsylvania
- New Jersey
- District of Columbia
- Missouri