

Business Organizations & Transactions

BUSINESS ORGANIZATIONS & TRANSACTIONS ATTORNEYS

Charles Thomas
James Irving
Leo Fisher
David Canfield
Joseph Corish
Timothy Hughes
James Schroll
Phil Jaeger
John Bryan
Vikram Agarwal
Zack Andrews
Samuel Banks
Andrea Davison
Ronald Feuerstein
Blake Frieman
Jonathan Harrison
Kathleen Kelley
John Kelly
Jennifer Schiffer
R. Douglas Taylor, Jr.

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Multitasking. A now-familiar term meaning the performance of various seemingly unrelated actions all at once, hopefully without crashing. Even the most computer-challenged business owner understands the concept.

Consider the day-to-day legal issues you confront, many without the benefit of legal counsel at your elbow:

- Should I be in business as a partnership, a corporation or a limited liability company?
- Should I raise equity capital or borrow?
- What should I look out for in my lease?
- Are these loan covenants fair?
- Can I fire this employee?
- Should I buy this business by stock or asset purchase?
- How can I get out of this contract?

You can't run out and hire a lawyer every time a question comes up affecting your business operations. But as your business grows, the questions get harder and the stakes get higher. Bean, Kinney & Korman understands these basic facts of business life and offers knowledgeable and practical advice as and when you need it.

Rooted in the Local Business Community

We have long been a fixture in the Virginia and Washington, D.C. metropolitan business community. Our attorneys are active in local Chambers of Commerce, appear before government agencies on behalf of business interests, and assist our business clients as they grow from fledgling to robust businesses.

Responsive to Your Business Needs

Many business owners know they need more than basic advice, but fear becoming lawyered to death by a mega-firm, or worse, ignored. We won't lose you in the shuffle. We offer wide experience and depth of knowledge in:

- business organizations
- commercial transactions
- employment matters
- leasing
- commercial lending
- real estate
- regulatory compliance
- civil litigation
- creditors' rights and collections

We are mindful of your resources. We understand your need to control legal costs, as much as your need to control any other cost of operation. We will work with you to deliver the services needed, in a cost-effective way.

Understands Your Business

Knowledge of the law is essential to being a lawyer and knowledge of your business is essential to being an advisor. We have extensive familiarity with a range of industries, giving us a head start on understanding the “real world” issues that often drive legal analysis. And what we don’t know, we’re eager to learn. We often invest time “off the clock” to learn your business model and your industry, and we consider it part of our commitment to our client relationships.

Being Part of the Solution

Sometimes, as Charles Dickens observed, “the law is a ass – a idiot.” That doesn’t mean your lawyer has to be. In business, finding constructive solutions is more important than having the last word. Responding to legal questions isn’t an academic exercise, it’s an integral part of your decision making. We are advisors and counselors, not just mindless hired guns.

You have to be flexible and innovative to survive. So do we. Let us know what we can do to support your business needs, and we will assure that your lawyers are a valued business asset, not an unending liability.

Published Articles

Deadlock Provisions in Agreements – Say No to the Rochambeau Method
September 17, 2019

Can an Employee Who Quits Receive Unemployment Benefits
LinkedIn, September 10, 2019

Dissecting Opportunity Zone Fund Structures
Opportunity Zone Magazine, May 6, 2019

Virginia Employers: Are Your Non-Competes Enforceable?
August 1, 2018

Successor Liability: a New Corporation is Not an Escape Route
January 30, 2017

Creative Pleading in Business Torts
BKK Business Law Newsletter, May 2016

Uber Reaches Settlement of Independent Contractor Misclassification Lawsuits in California and Massachusetts
BKK Business Law Newsletter, May 2016

Virginia Attorney General Says Virginia Law Prohibits Discrimination on the Basis of Gender Identity and Perhaps Sexual Orientation
May 18, 2016

Husky International Electronics, Inc. v. Ritz: “Actual Fraud” According to the SCOTUS
Bankruptcy Law News, May 2016

Trade Secrets and Confidentiality

BKK Business Law Newsletter, January 2016

Obligations of the Corporate Status

BKK Business Law Newsletter, November 2015

5 Ways for Business Owners to Protect Their Assets

BKK Wills, Trusts and Estates Newsletter, August 2015

USDC Weighs in on Tortious Interference

BKK Business Law Newsletter, July 2015

Legal Implications of Take Your Dog to Work Day for Your Business

Arlington Chamber of Commerce Blog, June 17, 2015

Social Media Accounts in Bankruptcy: Business or Personal?

JD Supra Perspectives, April 28, 2015

Small Businesses: Responding to and Resolving Scathing (or False) Online Reviews

BKK Business Law Newsletter, March 2015

Charities and Gambling

March 2, 2015

FirstPay Decision: IRS Bests Trustee in Local Tax Case

BKK Business Law Newsletter, January 2015

Fraud in Virginia

BKK Business Law Newsletter, November 2014

The Eight Corners Rule and the District of Columbia

BKK Business Law Newsletter, September 2014

Restrictions in Franchise Agreements Narrowly Construed

BKK Business Law Newsletter, September 2014

Tortious Interference in Virginia – Improper Methods Requirement

BKK Business Law Newsletter, July 2014

Data Security in a Technological World

June 3, 2014

Enforcing Oral Contracts: The Presumption is Against You

BKK Business Law Newsletter, May 2014

Non-Competes in Virginia: The Trend Against Enforceability Continues

April 15, 2014

The Hidden Power of Routine Contract Provisions

BKK Business Law Newsletter, March 2014

Minority Shareholder Rights in Virginia
December 2, 2013

False Notes in the Music Industry: Fiduciary Duty of Business Partners
BKK Business Law Newsletter, November 2013

Business Audits Allow Business As Usual
October 22, 2013

A Tactical Approach to Defending Virginia Non-Competes
BKK Business Law Newsletter, September 2013

Proactive Steps to Protect Trade Secrets
BKK Business Law Newsletter, September 2013

Pitfalls on Termination: Employer May be Liable for Employees' Loose Talk
BKK Business Law Newsletter, July 2013

Regular guest blogger on the Washington Business Journal's blog *Biz Beat*

Website Owners: Who is Liable for Third Party Postings on Your Website?
BKK Business Law Newsletter, June 2013

Subpoenas: What Are They and What Do You Do If You or Your Business Receives One?
BKK Business Law Newsletter, May 2013

New I-9 Creates Risk for Employers
BKK Business Law Newsletter, May 2013

Virginia's New Employment-Based Tort
The Corporate Counselor, April 2013

Business Torts in Virginia: *Alliance Technology Group LLC v. Achieve 1, LLC*
BKK Business Law Newsletter, March 2013

Virginia Non-Competition Law After Home Paramount
BKK Business Law Newsletter, March 2013

How to Protect Your Assets As a Business Owner
BKK Wills, Trusts and Estates Newsletter, February 2013

Written Contracts and the Statute of Limitations
BKK Business Law Newsletter, January 2013

Why the Law is Not a Vehicle for Vengeance
BKK Business Law Newsletter, January 2013

Advantages and Disadvantages of a Partnership
BKK Business Law Newsletter, November 2012

Estate Tax Savings and Increased Creditor Protections When You Incorporate LLCs and Limited Partnerships into Your Estate Plan

BKK Wills, Trusts and Estates Newsletter, November 2012

Distinguishing Between Non-Competition Agreements in Employment Agreements and Those in the Sale of a Business

BKK Business Law Newsletter, November 2012

Enforceability of Waivers of Prospective Liability

BKK Business Law Newsletter, September 2012

Asset Protection Trusts in Virginia

BKK Wills, Trusts and Estates Newsletter, August 2012

Alert for Trademark Owners: Trademark Monitoring and Registration Scams

IP Frontline, June 2012

U.S. Copyright Termination - A Window is Opening

Intellectual Property Today, May 2012

Virginia Supreme Court Limits Transfers of LLC Membership Interest

BKK Business Law Newsletter, January 2012

Fairfax Circuit Court Expands Jurisdiction in Conspiracy Cases

BKK Business Law Newsletter, January 2012

Virginia Case Raises Questions about LLC Transfers

AIA Northern Virginia News, January 2012

Business Succession Planning Part 2: Critical Tools

Masonry Magazine, January 2012

Finality of Orders in *Reston Homeowners Association v. Ramirez*

BKK Business Law Newsletter, January 2012

Virginia Narrows Employer Non-Competition Protections

BKK Construction & Land Use Newsletter, December 2011

Details Matter: Family Limited Liability Companies and 1031 Exchanges

BKK Wills, Trusts and Estates Newsletter, November 2011

Non-Competes in Virginia Civil Settlement Agreements

BKK Business Law Newsletter, November 2011

Tax Law: IRS Announces New Settlement Procedure for Workers Misclassified as Independent Contractors

BKK Business Law Newsletter, November 2011

Succession Planning: Failing to Plan is Planning to Fail

Masonry Magazine, September 2011

Non-Competition Agreements and Independent Contractors

BKK Business Law Newsletter, September 2011

Corporate Protections and Their Limits

AIA Northern Virginia News, July 2011

Importance of Corporate Formalities

BKK Business Law Newsletter, July 2011

Tax Law: Tax Consequences of Contributing Property to a Corporation

BKK Business Law Newsletter, July 2011

The Arrogant Car Salesman in a Non-Competition Agreement

BKK Business Law Newsletter, March 2011

How to Defend Avoidance Actions in Bankruptcy Litigation

The Practical Real Estate Lawyer, January 2011

The Substantially Prevailing Party

BKK Business Law Newsletter, January 2011

Employees and Independent Contractors

HR.com, November 2010

Electronic Documents: What You Don't Know Can Hurt You

Masonry Magazine, September 2010

Restrictive Covenant as a Restraint of Trade

BKK Business Law Newsletter, September 2010

Employers Beware: IRS To Commence Intense Employment Tax Audits

Internal Auditing Magazine, September 2010

Consider Legal Ramifications of Personal Guarantees

Society for Human Resource Management Legal Report, September 2010

Sexual Discrimination in the Workplace - Hostile Environment

BKK Business Law Newsletter, July 2010

Selling Your Business in 2010 When Federal Tax Rates Are Still Low

BKK Business Law Newsletter, July 2010

"Please Pull Up to the First Window"

BKK Construction & Land Use Newsletter, April 2010

How Not to Get Sued

AIA Northern Virginia News

The Dead Man's Statute in Virginia

BKK Business Law Newsletter, March 2010

Notice Pleading: Be Simple But Be Precise

BKK Business Law Newsletter, March 2010

Case Note: Local Contractor Shells Out Cash to Settle Wages Class Action Suit
BKK Construction & Land Use Newsletter, February 2010

Non-Competition in State Court
BKK Business Law Newsletter, November 2009

Remedies for Breach of Non-Competition Agreements
BKK Business Law Newsletter, November 2009

Protecting & Registering Your Intellectual Property
BKK Business Law Newsletter, September 2009

Business Torts: Business Conspiracy & Trade Secrets
BKK Business Law Newsletter, September 2009

Prudent Corporate Director Conduct
BKK Business Law Newsletter, July 2009

Piercing the Corporate Veil
BKK Business Law Newsletter, May 2009

Effectiveness of Arbitration Agreements
BKK Business Law Newsletter, May 2009

Family Limited Partnership and Family Limited Liability Company Valuation Discount Planning
BKK Business Law Newsletter, January 2009

News

James Irving was featured in "3 Things Small Business Owners Don't Include in Their Year-End Planning, But Should."
JD Supra Law News, December 5, 2013

Q&A on Succession Planning with Timothy Hughes in *Construction Executive* magazine
Construction Executive, November 2012

Jim Irving featured in "Protecting the Biz: Safeguarding Musts"
Northern Virginia Magazine, June 2011

Bean, Kinney & Korman Accomplishes Closing on Financing Fit for Sport & Health Clubs
July 10, 2009

Seminars & Events

The Legal Side of Business
Fairfax Business Center, Annandale, VA, December 4, 2019

Mergers & Acquisitions in the Federal Marketplace
Tower Club, Tysons Corner, VA, May 16, 2019

Restaurant Failures – What to Do When Your Iron Chef Melts

Turnaround Management Association, Chesapeake Chapter, March 27, 2015