



Toxic Succession Planning

How Planning Ahead Mitigates Environmental
Cleanup Liability Risk for Successors

Press Release

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Toxic Succession - How Failing to Plan for the Passing of Contaminated Real Property Can Devastate Heirs, Estates and Business Valuations

A new white paper identifies an important phenomenon it calls *toxic succession*, advocating up front planning during the business and estate succession process to mitigate potentially disastrous environmental cleanup consequences for heirs, beneficiaries and business partners.

Newport Beach, CA – Campaign 5000, pushing forward on its mission to educate financial, legal, accounting, wealth management and estate planning professionals on the hazards of toxic succession – the passing of contaminated real property at death to heirs, beneficiaries and business partners, announces the release of a white paper on this important topic. Since the widespread failure of many professionals to address potential environmental contamination issues in the succession planning process can severely impact the financial affairs of trusts, estates and businesses where contaminated sites are involved, outreach efforts to educate professionals on this vital issue are critical. Campaign 5000, the thought leader in business and estate toxic succession issues, connects industry professionals and raises awareness concerning how to mitigate inherited environmental contamination concerns.

Legal responsibility for potentially catastrophic environmental cleanup liabilities lies with the property's current owner, regardless of who caused the contamination. Heirs, beneficiaries, business partners, and companies can thus be held fully accountable for all environmental cleanup when they acquire a property through probate, trust or business succession, making it essential to plan for toxic succession issues before they arise. This includes proper up front toxic succession planning, as well as preparing to address site contamination issues that may arise during the estate administration phase. Hidden environmental cleanup liabilities can sometimes be more costly than the value of the property itself, making toxic succession impacts potentially devastating.

The white paper authored by attorneys Kevin Daehnke and Marshal Oldman, "Toxic Succession Planning: How Planning Ahead Mitigates Environmental Cleanup Liability Risk for Successors," provides insight into:

- Identifying and understanding the potential scope of a toxic succession problem
- Developing a strategy with the client's existing financial and legal advisors
- Minimizing environmental cleanup liability and inequities for heirs and successors
- Maximizing the value of any contaminated real property assets of the estate

Serious disputes and litigation often arise between business partners, family members and friends because of the significant environmental cleanup liabilities they can inherit, often straining long-standing relationships. Impaired estate values due to site contamination can also severely impact charitable gifts, and the personal liabilities of trustees or beneficiaries resulting from toxic succession can extend beyond property values or the resources of a family trust or estate.

"In my 40 years of practice, I have seen numerous situations where trustees and beneficiaries of a trust or estate inherit sometimes catastrophic environmental cleanup liabilities. Financial and legal professionals need to be aware of the hazards of toxic succession," says Marshal Oldman, Senior Partner of Oldman, Cooley, Sallus, Birnberg, and Coleman, LLP, and co-author of the white paper.

"The potentially serious consequences of failing to plan for the passing of contaminated real property at death are often avoidable," says Kevin Daehnke, co-author of the white paper, and Senior Partner at Daehnke Cruz Law Group,

LLP. “As environmental attorneys working closely with estate and business succession professionals, we have developed numerous strategies which minimize the toxic succession risks faced by heirs, beneficiaries, successors and trustees. We want to share our knowledge with other professionals, helping them become aware of and identify potential contamination issues while advising clients.”

The White Paper, “Toxic Succession Planning: How Planning Ahead Mitigates Environmental Cleanup Liability Risk for Successors” is available for download at <http://www.MBCStrategic.com/toxic-succession>.

For more information, please visit <http://mbcstrategic.com/toxic-succession/> and for interviews, contact MBC Strategic at (310) 445-3333, or press@mbcstrategic.com.

ABOUT CAMPAIGN 5000

Campaign 5000 is a multi-disciplinary effort to raise awareness and spark widespread discussion concerning the importance of toxic succession planning for businesses, trusts and estates. Spearheaded initially by a handful of professionals intimately connected with the issue, Campaign 5000 strives to rectify the lack of information and mindfulness on the topic of toxic succession by partnering with as many accountants, lawyers, trusts, wealth managers, and succession planning professionals as possible. The Campaign 5000 outreach seeks to ensure that identifying and addressing potential site contamination issues becomes a regular part of every thoughtful estate or business succession planning effort.