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# GOODcompany

SHEEHAN PHINNEY BASS + GREEN PA  
the business law firm winter 2012

## Featured Articles

### **Minimizing the Risk of Data Theft Through Cloud Computing**

Keeping Up with Technology and Ahead of Your Competition

by David W. McGrath and Charles P. Stewart



Imagine the following: Your business has a banner year, but one of your key sales employees decides to pursue an opportunity with a competitor. After installing a free app on her iPad the employee gains remote access to her work files. With the help of her new app, she surreptitiously copies all of the confidential records she has accumulated over the last few years. This type of security breach is becoming more common. In order to better understand the nature of this burgeoning technological threat, it is helpful to examine how we got to this point.

[\[Contact Author\]](#)  
[\[FULL STORY\]](#)

### **SEC Launches Whistleblower Bounty Program**

by Michael J. Drooff



The SEC recently inaugurated a new program under the Dodd-Frank Act which rewards whistleblowers who bring to the attention of the SEC major securities fraud with bounties between 10-30% of the amount of sanctions imposed by the SEC in the case. Reformers hope that the new rules will provide a strong new deterrent to securities-related fraud, while many companies brace for a wave of allegations by current and former employees alleging corporate wrongdoing. [\[Contact Author\]](#)

[\[FULL STORY\]](#)

### **2011 Top Ten List of Wage and Hour Violations in New Hampshire**

## Sheehan Phinney Celebrates 75 Years

*Proud of the past. Focused on the future.*

The law firm presently known as Sheehan Phinney Bass + Green can trace its roots back 75 years - and beyond! As the firm marks three quarters of a century of service, it is proud of its past, the example set by its founders and those attorneys and staff who have shaped its history and present.

## Our New Blog - Business Law insights

Sheehan Phinney is proud to announce the launch of our firm blog, [Business Law insights](#). With contributions from attorneys in each of our practice areas, as well as guest contributors, the blog will inform, educate and promote conversation on the latest developments in the law. We have several great topics coming up!

## Register Now

SPB+G's 24<sup>th</sup> Annual  
Employment Law Review  
and Update  
*Practical Guidance for Employers*

Thursday, May 24, 2012  
8:00 AM to 4:00 PM

Grappone Conference Center  
70 Constitution Avenue, Concord, NH

## How to Avoid Them in 2012

by James P. Reidy



Each year we review the Top Ten most common wage and hour violations in New Hampshire. The stakes for noncompliance with these wage laws are higher than ever before. Employers need to pay attention to these violations to stay in compliance with state wage laws and to avoid civil penalties and wage adjustment orders from

NHDOL. [[Contact Author](#)]

[FULL STORY]

### **Transfers of Personal Goodwill to Avoid Double Taxation Is *Martin Ice Cream* Melting?**

by Peter T. Beach



In 1998, two cases involving the concept of “personal goodwill” opened the door to a strategy for avoiding the double taxation to which C corporations and their shareholders can be subject when assets of the C corporation’s business are sold. For nearly a decade the courts had nothing more to say about this form

of planning, but tax advisors continued to use it – sometimes in appropriate circumstances and sometimes not. [[Contact Author](#)]

[FULL STORY]

### **The Tale of the Tape: Healthcare Reform Law Reaching the Workplace**

Covered Employers Need to Start Calculating the Cost of Health Insurance

by Paul S. Reuland



The Patient Protection & Affordable Care Act (PPACA) imposes a number of mandates on individuals, employers and insurers. While some mandates have been highly publicized others, including the requirement that employers include the aggregate cost of employer-sponsored health insurance on each employee’s annual W-2 Form,

are lesser known. As employers have begun to implement the reporting mandate numerous questions have arisen about the scope of the requirement, what type of plans must be reported, how to account for a change in employment or coverage status and how to calculate the reportable cost. In January of 2012, the Internal Revenue Service (“IRS”) issued interim guidance on these topics, and many others, in Notice 2012-9, which amended its earlier guidance, Notice 2011-28. This article will briefly summarize some of the key points provided in these Notices. [[Contact Author](#)]

[FULL STORY]

### **Emerging Technology Companies Can Fund Research and Development through Industrial Partnerships**

by Janet B. Fierman

For more information please go to the event section of [www.sheehan.com](http://www.sheehan.com)

## Upcoming Events

Most Admired Companies, CEOs & Brands

Boston Business Journal

Thursday, February 23, 2012

11:00 AM to 1:30 PM

Sheraton Boston Hotel

39 Dalton Street

Boston, MA

For more information please go to:

[www.bizjournals.com](http://www.bizjournals.com)

Best of Business (BOB) Awards

New Hampshire Business Review

Thursday, March 8, 2012

5:30 to 8:00 PM

Grappone Center, Concord, NH

The best companies in over 80 business-to-business categories, voted on by NHBR readers.

For more information please go to:

[www.nhbr.com](http://www.nhbr.com)

40 Under Forty Reception

NH BIA and New Hampshire Union Leader

Tuesday, March 13, 2012

5:00 to 7:30 PM

Radisson Hotel, Center of NH

700 Elm Street, Manchester, NH

Honoring 40 emerging leaders elected to the Union Leader’s “40 Under Forty” class, a program that recognizes emerging leaders with a record of professional and volunteer accomplishment in New Hampshire.

For more information please go to:

[www.nhbia.org](http://www.nhbia.org)

NH High Tech Council Human Resources Exchange

*Electronic Record Retention Issues for HR Professionals*

Wednesday, March 14, 2012

8:00 to 9:30 AM

Sheehan Phinney Bass + Green PA

1000 Elm Street, 17th Floor

Manchester, NH

Speaker: [James P. Harris](#), SPB+G

Manchester

For more information please go to:

[www.sheehan.com](http://www.sheehan.com).

Advancing Women 2012



Biotech (and other emerging technology) companies run into a variety of problems obtaining funds from venture capitalists and other traditional investment sources. Their technology may be too far from the point of commercial viability. Their target market may be too limited.

Their existing investors may not want them to follow interesting new leads which divert resources away from the more immediate gains to be harvested from low hanging fruit. Large, often publicly traded companies may provide an alternative or additional source of funding for emerging technology companies. To make good decisions about these sources of funding, though, it is helpful to understand their pros and cons. [[Contact Author](#)]  
[FULL STORY]

### ***Economic Strategic Commission***

Advancing Entrepreneurship in New Hampshire  
by *Peter W. Leberman*



During the 2011 legislative session, Senate Bill 92 ([SB 92](#)) was adopted establishing a statutory commission to "review the relationship between business and government." This description understates the purpose and intent of SB 92 and the duties and aspirations of the Economic Strategic Commission. This commission has

been enlisted to examine existing statutes, regulations and governmental impediments for the purpose of identifying opportunities and making recommendations to enhance the state's business environment, to facilitate modern and efficient interactions with agencies, and to restore the "New Hampshire advantage" with the goals of fostering economic development, productive jobs, fiscal stability, and a prosperous quality of life for the state's business community and citizens. [[Contact Author](#)]  
[FULL STORY]

### Firm News

- [Sheehan Phinney Attorneys Win Against Starbucks](#)
- [Sheehan Phinney Attorney Bradford E. Cook Named Most Influential](#)
- [Reische Named Top Attorney by Business NH Magazine](#)
- [Reidy Named Top Attorney by Business NH Magazine](#)
- [Sheehan Phinney Named "Best Law Firm" by Best Lawyers and U.S. News](#)
- [Sheehan Phinney Attorneys Selected As New England "Super Lawyers"](#)
- [Three Sheehan Phinney Attorneys Named Lawyer of the Year](#)
- [Sheehan Phinney Welcomes New Attorney](#)
- [Sheehan Phinney Elects Two New Shareholders](#)
- [Recalde Named To South Shore Hospital Board Of Directors](#)
- [Manchester Named to NH Bar Foundation Board](#)

Boston Business Journal  
Thursday, March 15, 2012

7:00 to 10:00 AM

Location TBD

For more information please go to:  
[www.bizjournals.com](http://www.bizjournals.com).

Made in NH Try It & Buy It Expo  
Friday, April 13, 2012 thru

Sunday, April 15, 2012

Fri 1:00-8:00 PM; Sat 10:00 AM-8:00 PM;

Sun 10:00 AM-4:00 PM

Radisson Hotel, Center of NH

700 Elm Street, Manchester, NH

The Made In NH "Try It & Buy It" Expo is dedicated to showcasing the impressive variety of quality products and services made in the Granite State.

For more information please go to:  
[www.businessnhmagazine.com](http://www.businessnhmagazine.com).

Manchester Chamber 2012 Citizen  
of the Year Celebration

Thursday, April 19, 2012

5:00 to 9:00 PM

Radisson Hotel, Center of NH

700 Elm Street, Manchester, NH

For more information please go to:  
[www.manchester-chamber.org](http://www.manchester-chamber.org)

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## Contact Us

We would like to hear from you. Let us know what you think, what you like about "Good Company" and what you would like to see in future issues.

E-mail [goodcompany@sheehan.com](mailto:goodcompany@sheehan.com).

- [Selling the Private Business](#)
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## Good Company Archives

- [Fall 2011](#)
- [Summer 2011](#)
- [Spring 2011](#)
- [Issues from 2003 to 2011](#)

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