WALTER | HAVERFIELD
Attorneys At Law

GARY A. ZWICK
Partner

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SERVICES

Corporate & Partnership Tax
Employee Benefits & ERISA
Estate Planning
Federal, State, & Local Tax Disputes
Federal, State, & Local Tax Services
Mergers & Acquisitions
Probate & Trust Administration
Tax & Wealth Management

EDUCATION

Georgetown University Law Center, LL.M.
Cleveland State University College of Law, J.D.
Kent State University, B.B.A.

LICENSED TO PRACTICE

Ohio
U.S. Tax Court
U.S. District Court, Northern District of Ohio
Certified Public Accountant

RECOGNITION

Recognized by Best Lawyers®, 2009-23 Selected for inclusion to the Ohio Super Lawyers list, 2004-23 Recognized as an Accredited Estate Planner® (AEP®) by the National Association of Estate Planners & Councils, 2016 Awarded one of three Kenneth Black, Jr. Journal Author Awards for best article of the year, 2014

OVERVIEW

Gary is a partner who has a general tax practice, with emphasis on tax planning for closely held and family businesses and their owners, and high-net-worth individuals. His focus encompasses not only income tax planning, but also estate planning, retirement plans and planning, business and individual taxation, Subchapters C & S, mergers and acquisitions, employee benefits and Internal Revenue Service (IRS), and tax court practice and controversy work. Gary also handles criminal tax matters working in conjunction with Ralph Cascarilla, Managing Partner of Walter | Haverfield and former Assistant U.S. Attorney. Before joining the firm in 1997, Gary, who is also a Certified Public Accountant (CPA), spent 21 years in public accounting, including serving for many years as Director of Tax Operations and Head of the Cleveland Office Tax Department for a large regional Bowman 100 CPA firm.

Gary is the principal author of the book, "Tax & Financial Planning for the Closely Held Family Business," and a co-author of the book "Transferring Interests in the Closely Held Family Business," both published by the American Law Institute and the American Bar Association (ALI-ABA). Both books were published by Edward Elgar Publishing beginning in 2019. He has also authored or co-authored over a dozen feature articles for major tax publications including a chapter entitled, "Transfers of Property in Exchange for Services – Section 83," for the LexisNexis Online Tax Encyclopedia, published in January 2007. For many years, Gary was the Tax Clinic editor of the August rotation of the Tax Adviser, the American Institute of Certified Public Accountants' (AICPA) national tax publication. He is also a contributor to the ALI-ABA Practice Checklist Manual on Advising Business Clients II and the book, "Golden Opportunities," by Amy and Armond Budish.

Gary is a frequent speaker, both locally and nationally, on tax subjects, with hundreds of speaking engagements addressing tax professionals. He is board certified in federal tax by the Ohio State Bar Association (OSBA) and former Chair of the Federal Tax Specialty Board of the OSBA. He continues to serve on the Federal Tax Specialty Board of the OSBA. He was both an adjunct professor of Wealth Transfer Tax and Estate Planning at Case Western Reserve University School of Law and an adjunct professor of Tax Law and Wealth Transfer Tax at Cleveland State University College of Law.

EXPERIENCE

EMPLOYEE BENEFITS & ERISA

- Consults on qualified plan design, including defined benefit/defined contribution combinations
- Drafts and implements individually designed qualified plans
- Handles qualified plan audits and interface with the IRS to obtain qualification letters for the plans
- Designs and implements Voluntary Employees' Beneficiary Association (VEBA) plans for larger employers and assists small employers with their employee benefit plans
- Designs, drafts, and implements non-qualified deferred compensation, stock options, restricted stock plans
- Implements Individual Retirement Arrangements (IRA) and other retirement strategies

ESTATE PLANNING

- Consults and handles matters in estate and wealth planning for owners and operators of closely held and family businesses
- Works closely with high-net-worth individuals and their families
- Solves liquidity problems in estates that are largely illiquid
- Works with multiple generations to assure that plans implemented are carried out

FEDERAL, STATE, & LOCAL TAX

- Creatively structures and negotiates purchases and sales of businesses to reduce or eliminate taxes
- Designs compensation, benefits and qualified plan systems for closely held and family businesses to maximize benefits and minimize costs
- Structures optimal entity selection, accounting periods, and methods and situs of closely held entities to reduce tax exposure for entrepreneurial businesses
- Processes hundreds of audits, appeals, and court cases on the federal, state, and local level; Regularly obtains private letter rulings and interface with all levels of administrative entities
- Manages family business and other shareholder disputes
- Works closely with individuals and their families to design and implement multi-generational estate and wealth-planning strategies
- Facilitates estate and trust administration

PRESENTATIONS

- "Sale of Business From Former Grantor Trust Now a QSST, Dynasty 529 Plan for Multigenerational College Expenses and Dynasty Trusts Using 529 Plans," The Group, Inc. 2023 Annual Meeting, 2023
- "Planning for Closely Held Businesses," Dallas/Fort Worth Financial Planning Association Conference, 2023
- "Practical Considerations in Planning for Entrepreneurial Clients," Cleveland – Akron Financial Service Professionals Educational Series, 2022
- "Planning for Closely-Held Businesses," Boy Scouts of America – Lake Erie Council, 2022
- "Tax and Financial Planning for the Closely Held Family Business," OSBA, 2022
- "Real World Estate Planning for Closely-Held Businesses," American Institute of Certified Public Accountants and CIMA Engage Conference, 2022
- "Evaluating Living Trusts Drafted by Others and Building the Perfect Document," Estate Planning Council of Cleveland, 2022
- "Choice of Entity Panel," 64th Annual Cleveland Tax Institute, 2021
- "Evaluating Living Trusts Drafted by Others and Building the Perfect Document" Boy Scouts of America Webinar, 2021
- "Tax and Financial Planning for the Closely Held Family Business," Ohio State Bar Association, 2021
- "Real World Estate Planning for Owners of Closely-Held Businesses," American Institute of Certified Public Accountants Engagement Conference, 2021
- "What are Wealthy Clients Doing in the Current Environment?" National Association of Insurance & Financial Advisors of Cleveland, 2021
- "Problems and Solutions for Closely Held Business Interests Gifted or Bequeathed to Private Foundations," Boy Scouts of America / Annual Estate Planning Seminar, 2020
- "Tax and Financial Planning for Closely Held Family Businesses," Ohio State Bar Association, 2020
- "Estate Planning Opportunities in Light of the Current Low Interest Rates," Akron Tax & Estate Planning Council, 2020
- "Selected Advanced Planning Issues for Closely Held Businesses (NOT including Section 199A QBID)," Ohio State Bar Association Webcast, 2019
- "Mastering Estate and Gift Tax Planning," Ohio Society of Certified Public Accountants, 2019

- “Tax Saving Strategies: Structuring Asset and Stock Purchases Advantageously,” National Business Institute Buying and Selling a Business: Start to Finish, 2019
- “Mastering Estate and Gift Tax Planning,” Ohio Society of Certified Public Accountants, 2019
- “Handling Common Business Tax Issues,” National Business Institute Business Law: Start to Finish, 2019
- “Business Succession Planning” with Dave Johnson, American Institute of Certified Public Accountants Engage Conference, 2019
- “EST Basic Workshop” presented with Missia Vaselaney and Paige Goepfert at the American Institute of Certified Public Accountants Engage Conference, 2019
- “Charitable Giving to Solve Client Income Tax Problems,” United Cerebral Palsy of Greater Cleveland, 2019
- “Buying and Selling a Business: Tax Strategies for Closely-Held Corporations,” Certified Public Accountant Academy Online Webinar, 2019
- “Best Life Insurance Ideas,” National Association of Insurance and Financial Advisors (NAIFA), 2019
- “Effect of Tax Reform on S Corporations,” Ohio Society of Certified Public Accountants Mega Tax Conference, 2018
- “Charitable Giving to Solve Client Income Tax Problems,” United Cerebral Palsy of Greater Cleveland, 2018
- “Federal Tax Updates,” West Virginia Tax Institute, 2018
- “Tax Considerations in Buying and Selling a Business After the 2017 Tax Act,” 13th Annual Boy Scouts Estate Planning Seminar, 2018
- “Tax Saving Strategies: Structuring Asset and Stock Purchases Advantageously,” Walter | Haverfield LLP & Skoda Minotti Presentation, 2018
- “National Business Institute: Buying and Selling a Business: Start to Finish,” NBI, 2018
- “Professional Collaboration – Team Approach to Estate Planning,” American Institute of Certified Public Accountants Engage Conference, with Jordon Rosen, Susan Tillery, Jeremiah Doyle and John Prokey, 2018
- “Special Tax Considerations Dissolving the Family Partnership,” American Institute of Certified Public Accountants Engage Conference, 2018
- “EST Basic Workshop,” AICPA Engage Conference, with Missia Vaselaney, 2018
- “Choice of Entity – It’s a whole new ballgame after TCJA 2017,” Estate Planning Council, 2018
- “The Term Insurance Rollover,” The Group Annual Meeting, 2018
- “Selected Creative Insurance and Tax Planning Ideas for Middle Market and Entrepreneurial Clients with High Income and Net Worth,” National Association of Insurance and Financial Advisors, 2018
- “Selected Planning Topics for S Corporations,” Ohio Society of CPAs Mega Tax Conference, 2017
- “Selected Creative Insurance and Tax Planning Ideas for Middle Market and Entrepreneurial Clients with High Income and Net Worth,” American Tax Planning Institute Summit, 2017
- “High Net Worth Planning,” Society of Financial Service Professionals, 2017
- “A Potpourri of Creative and Possibly Aggressive Estate Planning Ideas,” Canton Estate Planning Forum, 2017
- “Federal Tax Updates,” West Virginia Tax Institute, 2017
- “Most Tax Efficient Methods of Transferring a Family Business to the Next Generation” and “State and Local Tax Issues: Quirks that Affect Middle Markets and Closely-Held Businesses” (State and Local Tax Issues presented with Stephen Hall and Charles Federanich), 2017
- “Flexibility and Low Risk: The Manta in Estate Planning Today,” Tri-State Tax Institute, 2017
- “Update on Family Limited Partnerships and Family Limited Liability Companies,” Boy Scouts of America 12th Annual Estate Planning Seminar, 2017
- “Handling Common Business Tax Issues,” National Business Institute, 2017
- “Most Tax Efficient Methods of Transferring a Family Business to the Next Generation,” Ohio Society of CPAs Mega Tax Conference, 2016
- “A Potpourri of Unusual and Possibly Aggressive Estate Planning Techniques,” Akron Tax and Estate Planning Council, 2016
- “Planning for Lifetime Transfers Utilizing Irrevocable Trusts,” Lorain County Bar Association Fall Probate Seminar, 2016
- “Federal Tax Law Updates,” Ohio State Bar Association Tax Institute, 2016

- “Federal Tax Updates,” West Virginia Tax Institute Annual Meeting, 2016
- “War Stories,” Estate Planning Council of Cleveland – Panel Discussion, 2016
- “Key Laws and Client Intake/Goal Setting”; “Transfers During Life and Inter-Vivos Irrevocable Trusts”; “Tax Consequences of Trusts,” National Business Institute Estate Planning and Administration: The Complete Guide, 2016
- “How CPAs Work With Lawyers”; “Business Succession Planning”; “Tax Aspects of Decanting,” American Institute of Certified Public Accountants Advanced Estate Planning Conference, 2016
- “DO 8-3 Closing Agreement Program for Disqualified Plans and What does it really mean if a plan is disqualified?,” “§ 1202 Stock,” “Basis Stuffing with Grantor Trusts,” “Several Reorg/Sale Techniques,” “Late S Elections under RPs 2007-62 and 2013-30,” “Elections Under § 1368 for S Corporations to Distribute E & P and Deemed Re-contribution After Year-End to Attain Basis for Losses,” The Group, Inc. Annual Tax, ERISA and Health Care Law Meeting, 2016
- “Selected Problems and Planning for Mergers & Acquisitions,” Ohio Society of CPAs MEGA Tax Conference, 2015
- “Charitable Giving” and “Succession Planning in Family Businesses,” Ohio Society of CPAs Accounting Show, 2015
- “Federal Tax Update,” West Virginia Tax Institute, 2015
- “Current Update on Family Limited Partnerships,” Boy Scouts of America Estate Planning Seminar, 2015
- “Post Mortem Planning for S Corporations,” Canton Estate Planning Forum, 2015
- “Estate and Succession Planning for Closely Held Businesses,” Ave Maria Law School Estate Planning Institute, 2015
- “Succession Planning,” Discussion panelist at the American Institute of Certified Public Accounts Advanced Estate Planning Institute, 2014
- “Tax Savings Strategies During Acquisitions (Helping Your Client Buy or Sell A Small-To-Medium-Sized Business),” NBI Seminar, 2014
- “S Corporation Distributions” and “Beneficiary Defective Trusts,” The Ohio Society of CPAs Mega Tax Conference, 2013
- “Creative Retirement Planning for our Service Professional Clients,” Tennessee Federal Tax Conference, 2013

AUTHORSHIPS

- Tax & Financial Planning for the Closely Held Family Business
- Transferring Interests in the Closely Held Family Business

ASSOCIATIONS

- Fellow, American College of Tax Counsel
- Member of the Board of Advisors, Small Business Council of America
- Member, American Bar Association’s Tax Section
- Member, American Institute of Certified Public Accountants Tax Division
- Member, Tax Club of Cleveland
- Member, Cleveland Metropolitan Bar Association’s General Tax Committee and the Estate Planning, Probate and Trust Law Sections
- Member, Kent State University’s National Alumni Board of Directors
- Creator and Former Chair, Great Lakes Federal Tax Institute
- Former President and Member, Board of Trustees Institute for Creative Living
- Former Member, Internal Revenue Service TE/GE Advisory Liaison Group for the Great Lakes Region