



BUSINESS SERVICES GROUP—CASE STUDY: INTERNATIONAL MOTOR FREIGHT, INC.

Becker Meisel LLC has redefined the attorney-client relationship through the formation of its Business Services Group (“BSG”). BSG offers clients strategic legal advice through a consultancy-based model, which helps facilitate client gains by improving client financial performance, advancing client thought and enhancing our client’s business relationships.

One example of how the BSG approach facilitates such client gains can be witnessed in the firm’s representation of International Motor Freight, Inc. (“IMF”). Through our innovative BSG approach, the firm has assisted IMF in enhancing strategic and operational processes, meeting long-term and short-term company goals, improving corporate governance and regulatory compliances, building new relationships and strengthening existing relationships, and dealing effectively and efficiently with adverse situations.

BACKGROUND

IMF is a successful family-owned trucking company located in Port Newark, NJ, and has been a client for a number of years. Anthony J. Vizzoni, Esq., a member of BSG, is the point-of-contact attorney for IMF management. As the point-of-contact attorney, Anthony familiarized himself with all the departments and operations of IMF. Moreover, Anthony pays regular visits to IMF at its offices – at no charge to the company – to make sure he remains abreast of the latest company developments and proactively assists IMF in staying on top of those developments impacting its operations and bottom line.

Guidance for the Everyday Events...

Because he understands IMF and its long-term goals, Anthony has become a trusted business advisor to the company. Not only does Anthony provide IMF with unique third-party insight as to its business, but he is always proactive as opposed to reactionary in nature. For example, understanding that IMF is a first-generation family-owned business with the goal of the second generation ultimately taking control of the business, Anthony guided the IMF owners through a well-structured transfer of company ownership interests to second-generation members, while addressing control and other concerns of the original owners.

Acting proactively, BSG has improved IMF’s performance by enhancing operational processes. BSG has advanced the company’s thinking as to organizational matters by sharing leading practices from other similar companies and by helping advance creative employment policies.

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IMF Case Study *continued...*

Anthony regularly oversees the firm's Labor and Employment Group in providing this advice to the company; ensuring that our advice addresses the fact that IMF has distinct classifications of employees, such as office personnel and truck drivers.

Through the BSG model, Anthony also regularly provides the company with advice as to contract matters ranging from negotiating and implementation of company contracts with clients to those with vendors. This has improved IMF's performance by driving greater value from contracts and commercial agreements. Further, Anthony and his BSG colleagues update the company as to matters that affect the fiscal and corporate well-being of IMF. Finally, by intimately understanding the business of IMF, Anthony and his BSG colleagues are well-suited to advise the company as to pending or enacted legislation that may have any impact on business operations, thus improving overall company performance.

...the Occasional Events...

In 2012, IMF began the process of relocating its offices in Port Newark to a new location within the Port. Under Anthony's supervision, the firm's Real Estate attorneys negotiated a new lease with the Port Authority of New York & New Jersey and closure of the old lease. Understanding IMF's business as a whole, the firm was able to address concerns in the lease relative to employment matters, company ownership issues, environmental concerns, market conditions, and other areas that were unique to IMF's operations.

As part of its relocation, IMF constructed a new building, while ensuring compliance with Port Authority requirements. BSG helped IMF assemble the right team to complete this project. Through the BSG referral network, we provided IMF with referrals to reputable engineers and other third-party professionals. These professionals took the lead in obtaining permits and approvals so as to satisfy rigorous construction approvals and lease requirements. The firm's Construction Practice Group provided counseling as to construction documents between IMF and its contractors and suppliers, thus ensuring maximum protections for IMF during the construction process. The ability of IMF to meet lease deadlines and move-in dates was greatly improved through the solid contracts and vendor standards imposed by our attorneys as to the timing of those groups in meeting their obligations to IMF, all resulting in cost savings to the company.

...the Extraordinary Critical Events...

In late 2012, when Superstorm Sandy devastated much of Port Newark, BSG was there to help assist IMF during the crisis. In addition to severe damage to its building, IMF lost the bulk of its fleet of trucks during the storm. Within minutes of the first call to Anthony, BSG was in action to provide the support necessary to minimize business disruption and losses to IMF.

Truck replacements were critical. Through our network of contacts, we were able to work with IMF senior management in identifying candidates for quick turnaround financing in the purchase of new trucks resulting in the delivery

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IMF Case Study *continued...*

of a loan commitment within 48 hours. Our Transactional Practice Group lawyers reviewed all loan documents within hours of receipt so as to immediately close the financing ensuring that IMF could continue servicing its clients with very little business interruption.

When a concern as to tax credits for loss of destroyed trucks was identified by IMF's accountants, BSG arranged a trip to Washington, DC, to meet with congressional leaders so that the concerns could be identified for future congressional consideration. BSG worked with IMF's accountants to ensure that IMF optimized business economics relative to its losses.

When IMF's insurance carrier filed a declaratory judgment in an attempt to limit its liability under its insurance policies, the firm identified, helped interview and select other qualified counsel to handle the litigation for IMF. Throughout the litigation process, Anthony has been the "eyes and ears" of IMF, taking on the role of general counsel. He has helped IMF control costs by putting the retained counsel on a strict budget and has helped IMF adopt the most effective legal strategy for handling the case. This help improved IMF's performance by managing the litigation process in an efficient and economic matter and enhanced the company's relationships by introducing new counsel and providing guidance as to dealing with adverse matters.

Being aware of IMF's other business affairs during these challenging times for the company has been invaluable. For example, Anthony knew that IMF was in the process of relocating its facility and could not keep the damaged trucks and the new replacement trucks in its facilities any longer. Through the BSG network of contacts, third-party professionals were identified to liquidate the destroyed trucks for maximum recoveries in an efficient manner. Well aware of the declaratory judgment litigation, Anthony engaged the firm's Litigation Group to provide guidance to IMF as to documenting the truck losses prior to permanent removal of the destroyed trucks, preserving valuable evidence should future claims arise regarding the condition of the trucks or the losses incurred, whether in the existing matter or other future matters.

...and the Client Endorsement...

As is evident from the above, through the BSG approach, the firm has helped facilitate tremendous gains for IMF. Mr. Will Grato, owner and company co-founder, stated:

"The assistance that Becker Meisel's Business Services Group has provided to our company, in good times and bad, cannot be overstated. We have the resources of an in-house counsel at our everyday disposal, with access to employment lawyers, corporate lawyers and real estate lawyers, to name a few, through a simple phone call to Anthony as our point-of-contact lawyer. We have improved our performance, enhanced our relationships with clients and others, and continually rethink our business because of the efforts of the Becker Meisel Business Services Group. We are truly pleased with the Group's performance in challenging IMF to be a better organization."

For more information about how Becker Meisel's Business Services Group can improve your business, please contact Group Chair Timothy Szuhaj at 856-779-8700, or tszuhaj@beckermeisel.com.