



## BUSINESS LAW PRACTICE

### PHILOSOPHY

#### PROBLEM

When businesses reach out to a corporate lawyer, they usually get a one-sized-fits-all approach or a generalized list of issues that may apply to any business.

#### SOLUTION

Our corporate legal experience with a businesses across a spectrum of industries and backgrounds makes us ideally situated to help business owners avoid costly disputes, protect their brands, and seize opportunities to increase revenue.

#### BENEFIT

By handling legal issues right up front, our clients can focus on more important things, like maximizing their bottom line.

### WE KNOW YOUR BUSINESS

Here are a few examples of our fitness industry expertise:

-Helped businesses across a variety of industries create legal entities with complex ownership structures.

-Aided businesses with their employment practices to ensure compliance in their jurisdiction.

--Assisted in all website and e-commerce issues, such as drafting terms of use and privacy policies and complying with marketing and advertising laws.

-Drafted and negotiated numerous contracts including vendor, licensing, independent contractor, service, and lease agreements.

**MORE**

A background image showing a business meeting. Two hands are shaking over a desk. On the desk are a laptop, a pen, a contract, and some papers. The text 'LEGAL COUNSEL FOR TODAY'S BUSINESS' is overlaid in large white letters.

# LEGAL COUNSEL FOR TODAY'S BUSINESS

# WE HAVE A BILLING STRUCTURE FOR EVERY CLIENT

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When it comes time to talk numbers, the first question we always ask is -- *"What are your needs?"* -- and devise a structure that works for both parties. Here are some sample structures and rates:

**Hourly Rate:** Please contact the firm for current hourly rates.

**Flat Fee Structure:** For existing clients or new ones, we are always open to working on a flat fee basis for any project. The cost will vary based on the size and scope of the representation.

**Subscription Model:** We offer a tiered subscription plan for our business clients based on their individual needs. Each plan comes with a set number of legal consultation hours, tailored contracts, and more.

## CONTACT US

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"We are builders. We help our clients avoid costly disputes, protect their brands, and seize opportunities to increase revenue."



## ATTORNEY

### JUSTIN SIEVERT



### FULL BIO

- **Biz Law Highlights**
- Structured legal entities for a variety of businesses focused on current needs and projected growth
- Reviewed and drafted a variety of contracts including vendor, licensing, independent contractor, service, and lease agreements
- Handled a variety of employment issues including employee manuals, employment contracts, and non-disclosure agreements.
- Provide proactive guidance on business strategy issues to analyze risk and present best path moving forward with end goal in mind.



# CORPORATE LEGAL CHECKLIST FOR BUSINESSES

*DISCLAIMER: The contents of this list are non-exhaustive and should not be construed as specific legal advice and you should not act or refrain from acting based on any information contained in this document without seeking professional counsel from an attorney licensed in your state.*

## CORPORATE FORMATION AND GOVERNANCE

- Have you formed a limited liability entity such as a corporation, LLC, or LLP to protect your personal assets?
- Is there an agreement in place between co-owners (such as an operating or partnership agreement) that clearly sets out all parties' expectations and obligations? If so, is the current agreement up to date?
- Are all business operations conducted as a corporation or LLC (e.g., signing contracts, taking out loans, etc.)?
- Are all corporation or LLC formalities and requirements being complied with (i.e., annual meetings, meeting minutes, statements of information, etc.)?
- Are your corporate records and registrations current?
- Does your business require industry specific licenses or permits apart from general business licenses? If so, do you have the license(s) and is it current?
- Does your state have specific laws that govern the industry your business is in (e.g., gyms and health care businesses), and, if so, is your business compliant?
- Have you determined how you will be taxed (if applicable) and included provisions regarding this decision?

## COMMERCIAL AGREEMENTS

- Are all of your business contracts/agreements being reviewed and carefully drafted by an attorney?
- Are there thoughtfully drafted form contracts in place to maximize efficiency while also minimizing risk?
- Do your contracts/agreements minimize risk by including indemnifications, attorney's fees, venue/forum selection, etc. provisions?
- Are your contracts carefully written to ensure that you are able to meet your promises in the agreement under a variety of circumstances?
- Do you have a system for keeping track of important obligations and notice requirements under your contracts and agreements?
- Do your agreements require parties to use cost-effective alternative dispute resolution?
- Do your agreements limit the other party's right to sue you?
- Does my business share confidential or proprietary information that might necessitate non-disclosure or confidentiality agreements?

## EMPLOYMENT LAW

- Are you bound by any non-compete or non-solicitation agreement with any prior employers or businesses?
- Are you properly classifying workers as either employees or independent contractors?
- Have you considered implementing employee contracts for all current and prospective employees that protect your status as an at will employer? Do you have written agreements with all independent contractors?
- Do you have an employee handbook with policies to protect and guide you and your employees?
- Do you have policies in place to avoid discriminatory employment practices in hiring and firing employees?
- Have you posted all required workplace notices?
- Do you have a process in place for terminating employees?

# CORPORATE LEGAL CHECKLIST FOR BUSINESSES

## INTELLECTUAL PROPERTY

- If your brand is integral to your fitness business and you don't want to be geographically restricted, have you registered trademarks with the U.S. Patent & Trademark Office and any copyrighted materials with the U.S. Copyright Office?
- Are you monitoring third-party use of other brands in your field to protect the value of your trademark(s) and copyright(s)?
- Are you monitoring the people working for your business to ensure they are not copying original works from other people?
- Do you have a written trade secrets policy with your employees, independent contractors, and vendors?
- If you have someone using your intellectual property, do you have a licensing agreement that outlines the terms and conditions of its use?

## TECH/INTERNET

- Do you own the relevant social media accounts for your brand? Do you have use policies in place for anyone with access to business accounts?
- Do you run promotions for your business? If so, are you following relevant laws relating to contests, sweepstakes, and giveaways?
- If you run an online business, do you have appropriate measures in place to avoid personal injury claims, provide information, or use a client or another individual's name, image, or likeness in the marketing of your products or services?
- Is your use of third party content (i.e. services and images) allowed?
- Do you have a privacy policy on your website tailored to your business?
- Do your email marketing campaigns comply with federal laws (e.g., CAN-SPAM)?
- Is your advertising truthful and not misleading to the consumer?
- If you have a members only portal for your website, does require acceptance of certain terms and conditions, before registration is completed?
- Do you use a model and photographer release form when utilizing photographs or other media from an event you are hosting?
- Do your courses or ebooks include appropriate intellectual property registrations, a product license to prevent unapproved use, and terms of sale provisions for customers?
- Are all sponsorship arrangements compliant with FTC guidelines?
- If you operate a website that allows a user to post information, do you have a DMCA notice and takedown procedure that is clearly visible?

## BUILDING A TEAM

- Does your business have an "Outside General Counsel" attorney who understands your business and is a phone call away for legal help?
- Do you have an accountant/tax preparer that provides tax-planning advice so you can make the right decisions today and minimize obligations in the future?
- Has your insurance broker competitively shopped the marketplace to get you lower rates and better coverage?
- Do you have a business banker who specializes in working with growing businesses?