

WCMS Preferred Vendor:



Area of Expertise: Legal Advice & Representation

Services Provided (including but not limited to):

- **Health Care (including but not limited to):**
 - Analysis and interpretation of medical staff bylaws
 - Advice regarding licensure and representation before the North Carolina Medical Board
 - Physician employment contract preparation and review and related representation and negotiation; preparation of covenants not to compete and related "cost sharing" provisions
 - Physician-hospital arrangements, co-management agreements, medical directorships, professional services arrangements, and on-call coverage; medical practice mergers, alliances and asset sale agreements; Certificates of Need ("CON") and CON "no review" letters
 - Negotiation and counsel regarding managed care contracts
 - Issues encountered by rural hospitals and private physician practices
- **Business** (*e.g.*, structuring business entities and preparation of, *e.g.*, related articles of incorporation, corporate bylaws and company operating agreements; negotiating, drafting, and administering contracts ; acquisitions, mergers, asset purchases, liquidations, and dissolutions)
- **Employee Benefits and Tax** (*e.g.*, health and welfare plans, retirement plans, and executive compensation; traditional tax and Employee Retirement Income Security Act ("ERISA") issues and PPACA compliance)
- **Labor and Employment (including but not limited to):**
 - Proceedings before U.S. Equal Employment Opportunity Commission, the U.S. and N.C. Departments of Labor and other federal and state administrative agencies
 - Advice and representation regarding federal and state employment laws such as the Family and Medical Leave Act, ERISA, Occupational Safety and Health Act, Americans with Disabilities Act, Fair Labor Standards Act, and N.C. Wage and Hour Act
 - Preparation of personnel manuals, employment contracts, compensation arrangements and employer/employee settlement and release agreements
 - Advice and, when needed, representation regarding personnel issues and disputes
 - Drafting employment contracts and separation agreements
- **Government Relations** (*e.g.*, traditional lobbying, regulatory monitoring, and procurement advocacy)
- **Trusts and Estates** (*e.g.*, preparation of wills, trusts, and associated documents; counsel regarding reducing estate, gift, and generation-skipping transfer taxes)

- **Litigation** — Involving business, contracts, employee relations, equitable distribution, family law, health care, insurance coverage and claims, intellectual property, alleged medical malpractice, personal injury and wrongful death, professional liability, real estate, tax, and trusts and estates
- **Intellectual Property** — Prosecution, protection, and enforcement of U.S. and international patents and trademarks, copyrights, and trade secrets, and analysis of license agreements
- **Elder Law** — Guardianships, long-term care planning, financial Powers of Attorney, health care directives, special needs trusts, and fiduciary representation
- **Creditors' Rights** — Foreclosures, collection actions, claim-and-delivery hearings, and receiverships, federal and state fair debt collection practices, and lender liability
- **Real Estate** (*e.g.*, acquisition, development, financing, sales and leases of real property)
- **Nonprofit Organizations** (*e.g.*, prudent governance and directors' duties and liabilities)

Company Highlights:

Ward and Smith, P.A. has more than 95 attorneys in offices located in Asheville, Greenville, New Bern, Raleigh, and Wilmington, North Carolina. All of our attorneys across five offices are available to clients in western North Carolina, 24 hours a day, via e-mail, phone, and cell phone. We work seamlessly as a single team by drawing on attorneys from different practice groups who are best qualified to address clients' problems. We look forward to putting our extensive experience and judgment, based on our representation of and familiarity with physicians and medical practices of all sizes across North Carolina, to work for you.

Professional fees:

- Discount of ten percent (10%) off of Ward and Smith's standard hourly rates for all professional services. We are always happy to discuss alternative and more predictable fee arrangements.

Additional available contributions to WCMS and WCMS members:

- Educational presentations on "hot topics"
- Contributions of newsworthy articles to WCMS e-Newsletters and other publications
- Attendance at meetings of Boards of Directors of physicians' practices
- Annual WCMS sponsorships

Contact Information:

Name: Grant B. Osborne, Attorney

Phone: 828.348.6017 | Cell: 828.279.5506

Email: gbo@wardandsmith.com

Company website: www.wardandsmith.com

Physical address: 82 Patton Avenue, Suite 300, Asheville, NC 28801