

APPROACH TO THE DIVISION OF COMPLEX ASSETS

STEP & SESSION	TASK & FOCUS
1. <u>Basic Inventory</u> Session 2	<ul style="list-style-type: none">• Inventory and valuation of assets (format)• Identify what parties know, need to find out• Assess parties relative level of understanding
2. <u>Basic Understanding</u> Session 2-3, et seq.	<ul style="list-style-type: none">• Assignment of reading material, forms, books• Explanation of valuation process<ul style="list-style-type: none">a. need for outside valuationb. methodsc. by whomd. costse. process to be used in mediation• Identification of outside experts, and their separate roles, how to contact, and in what order, kinds of questions/issues to be raised, e.g., attorneys, CPAs, financial planners• Agreement of meeting with experts
3. <u>Meet with Attorneys/Financial Planners, CPAs, Others</u> Session 4	<ul style="list-style-type: none">• Include experts in mediation process (see 10.14)• Lay in framework for valuation process to proceed
4. <u>Review Results of Valuation Process with Parties</u> Sessions 6-7	<ul style="list-style-type: none">• Begin negotiation process Lay-in negotiation format• Arrive at final valuation• Consider quantitative and qualitative factors in decision• Consider mechanics of division
5. <u>Final Bargaining: Review with Experts</u> Session 8	<ul style="list-style-type: none">• Include experts in discussion of understandings to allow input• Final understandings
6. <u>Prepare Draft of Agreement</u>	<ul style="list-style-type: none">• Confirm parties understanding
7. <u>Review of Agreement Draft</u> Session 9	<ul style="list-style-type: none">• Attorneys may need to be present—wording may be an issue with complex assets