



O'Donnell, Weiss & Mattei, P.C.



OWM Law Newsletter September 2018

•FEATURE ARTICLES:

- *Stock v. Asset Sale When Buying or Selling a Business*
- *Don't Procrastinate: Why You Need an Estate Plan*

•OWM FIRM NEWS & UPCOMING EVENTS

- PCTV – *Watch the Current and Previous Episodes of Legal Talk*



Joseph K. Koury, Esq.



Rebecca A. Hobbs, Esq.

Stock v. Asset Sale When Buying or Selling a Business

When buying or selling a business, buyers and sellers have a choice: the transaction can be structured as either a purchase and sale of assets, or a purchase and sale of stock. Where the transaction is structured as a stock purchase, transfer of the ownership of the business entity itself results, and thus the entity continues to own the same assets and have the same liabilities as before. Where the transaction is structured as an asset purchase, the purchaser buys individual assets of the business, such as equipment, inventory, and goodwill, and the business entity itself continues to be owned by the same owner, often with dissolution occurring soon thereafter. The purchaser and seller may have various reasons for preferring one type of transaction over the other.

[\(Please click here to continue reading this article\)](#)

Don't Procrastinate: Why You Need an Estate Plan

Recent news headlines of well-known and affluent celebrities dying without an estate plan, has had me scratching my head and wondering, "why do people procrastinate estate planning." I decided to ask close friends and family members if they had an estate plan, and if not, what were their reasons. Although I received answers of, "just not something at the top of our list" or "life is busy", the overall theme was a fear of the unexpected. Each person I spoke with were aware of the importance of estate planning, they knew they needed to have it done, but they were not sure what all was involved. Estate planning is nothing to be nervous about, and finally checking this item off your "to do list" can be relieving. Let me explain the process and what is involved, hopefully if you have been putting off estate planning, this will help you understand the process and feel more comfortable.

[\(Please click here to continue reading this article\)](#)

Firm News & Upcoming Events

[Kathleen M. Martin, Esq., CELA](#), speaking at Chester County Night School Seminars at Pierce Middle School, West Chester, PA, on 9/24/18 from 7:00 p.m.-8:30 p.m., and at Owen J. Roberts Middle School, Pottstown, PA, on 10/9/18 from 7:00 p.m.-8:30 p.m., entitled "Unique Needs of Aging Adults: An Elder Law Perspective"; and at Pierce Middle School, West Chester, PA, on 10/2/18 from 7:00 p.m.-8:30 p.m., and at Owen J. Roberts Middle School, Pottstown, PA, on 10/23/18 from 7:00 p.m.-8:30 p.m., entitled "Beyond the Simple Will" (contact Chester County Night School at 610-692-1964 or online at www.chestercountynightschool.org).

[David A. Megay, Esq.](#), speaking at Chester County Night School Seminars at Owen J. Roberts Middle School, Pottstown, PA on 9/25/18 from 6:30 p.m.-8:30 p.m. entitled "Ask the Lawyer: Starting and Operating Your Own Business," and on 10/30/18 from 6:30 p.m.-8:30 p.m. entitled "Ask the Lawyer: Buying and Selling Real Estate in Pennsylvania" (contact Chester County Night School at 610-692-1964 or online at www.chestercountynightschool.org).



Watch OWM's Legal Talk on PCTV, Tuesdays at 8:30 Channel 28, and Thursdays at 9:30 p.m. Channel 98, or on our website [here](#).

Read Legal Ease every first and third Sunday in the [Pottstown Mercury](#).



Follow us on Facebook, Twitter and LinkedIn for current OWM news and information.

O'DONNELL, WEISS & MATTEI, P.C

41 E. High Street
Pottstown, PA 19464
610-323-2800
Fax: 610-323-2845

347 Bridge Street, Ste. 200
Phoenixville, PA 19460
610-917-9347
Fax: 610-917-9348

www.owmlaw.com