

# ***The Value Examiner TOC Archive***

Updated thru Jan/Feb 2010

## **The Valuation Examiner – 2000**

### **January/February 2000**

David H. Goodman, MBA, CPA, CVA – “Valuation of Unvested Stock Options” (18)

Howard L. Kanter, CFP – “Qualified Appraisal / Qualified Appraiser Historical Reference” (?)

Robert M. Power Jr., CPA, CV, ABV and Robert B. McMunigle, CPA, PFS, “The Empirical Foundation for Business Valuations” (19)

### **March/April 2000**

Mel H. Abraham, CPA/ABV, CVA, “Kerr vs. Commissioner: A Christmas Gift for Taxpayers and FLPs?” (26)

Robert J. Grossman, CPA/ABV, ASA, CVA, “Considering Voting Rights Premiums After Simplot” (?)

Chris L. Hamilton, CPA, CFE, CVA, DABFA, “Business Valuation in Divorce Engagements”

### **May/June 2000**

John E. Barrett, Jr., CPA, ABV, DVA, MST, “Final Regulations Issued for Adequate Disclosure of Gifts” (36)

James B. Lurie, CPA/ABV, CVA, CIRA, “Normalization and Control Premiums” (?)

Mel. H. Abraham, CPA, CVA, ABV, ASA, “New Decisions Bring New Life for FLPs” (37)

### **July/August 2000**

John E. Barrett, Jr., CPA, ABV, CVA, MST, “Business Litigation Issues in the Litigation Process” (26)

Herman Kelting, IRS Engineer, “Stock Prices Reflect the Value of the Underlying Assets” (30)

Beth DeSimone, CPA, CVA, “W.L. Gross v. Commissioner: to ‘Tax-effect’ or Not ‘Tax-effect,’ That is the Question” (36)

Tim Lebbon, FCA, FCPA, FAIA, “Value Based Management” (39)

Mel H. Abraham, CPA, CVA, ABV, ASA, “Adams Revisited and Kerr Revalidated: Both are Good for the Taxpayers and FLPs” (42)

### **September/October 2000**

Robert C. McChesney, CPA, CVA, “Minority and Marketability Discount: a Present Value Approach to Determination” (19)

Ronald L. Seigneur, CPA/ABV, MBA, CVA, “What is My Practice Worth to My Spouse, My Partners or to Another Attorney?” (21)

### **November/December 2000**

Thomas G. Rooney, CPA, CVA, AEP, “Liquidity: For You and Your Client” (23)

Robert S. Turner, CPA, CVA, “Valuation News You Can Use: Divorce and ESOPs – a Unique Marriage” (25)

Tim Lebbon, FCA, FCPA, FSIA, “Cost of Capital: Converting Real to Nominal” (28)

## **The Valuation Examiner – 2001**

### **January/February 2001**

Jeffrey D. Urbach, MBA, CFE, CVA, CPA, “Business Valuations and Forensics”

Scott I. Shaffer, CPA, CVA, “Family Limited Partnerships in Divorce”

Jonathan G. Blattmachr, “Effective Uses of Family-Split Dollar Insurance Arrangements” (Some Advanced Considerations and Uses of Life Insurance)

Mel H. Abraham, CPA, CVA, ABV, ASA, “Creating ‘Nexus’ Is the Most Important Job of a Valuator”

### **March/April 2001**

Howard J. Schneider, “Trial by Fire: a Week at ‘Witness School’”

Carl Lloyd Sheeler, AVA, CBA, “Considerations in Valuing a Law Practice”

Patrick W. Lovely, CPA, CVA, “Re-visitation and Rebuttal” (W.L. Gross v. Commissioner)

Wayne Lynch, CPA, CVA, JD, “What is the Standard of Value for Closely Held Business Interests in Texas Divorce Cases?”

### **May/June 2001**

Max A. Cohen, “Professional or Practice Goodwill: A Fresh Approach”

Rick Hoffman, CPA/ABV, “CVA’s Should Consider performing Reasonable Royalty Calculations for Patent Cases”

Marshall A. Morris, CPA, ABV, CFE, CVA, “Lost Earnings Analysis Overview”

Mark Shirley, CPA, CVA, CFFA, “Daubert: The Evolution of a Profession”

Robert J. Grossman, CPA/ABV, CVA, ASA, CBA, “Ninth Circuit Reversed Simplot”

Mel H. Abraham, CPA, CVA, ABV, ASA, “So You Want to Build a Valuation Practice”

### **July/August 2001**

Michael T. McEnerney, MBA, JD, CPA/ABV, ASA, CVA, “Business Valuator & Buy/Sell Agreements – Solving Problems at the Start”

Scott J. Shaffer, CPA, CVA, “Daubert and Kumho—Landmines for the Expert”

Patrick W. Lovely, CPA, CVA, “Beyond the Numbers: an Assistive Paradigm for the Evaluation of Specific Country Risk”

Gregory J. Austin, “What Tax Practitioners Need to Know about Business Valuations”

Robert L. Green, CPA, CVA, CFE, and David B. DuWaldt, MBA, CPA, CVA, “The Income Approach: Net Income versus Cash Flow?”

Mel H. Abraham, CPA, CVA, ABV, ASA, “Case Law: P.M. Adams”

### **September/October 2001**

Frank C. Evans, CBA, ASA, CPA/ABV, and David M. Bishop, MCBA, BVAL, ASA, “Market Approach—Using Guideline Companies and Strategic Transactions in Valuations for M&A”

Jonathan A. Barney, “Comparative Quality Analysis: A Statistical Approach for Rating and Valuing Patent Assets”

Edward Giardina, MSA, CPA/ABV, CVA, “The Gross Decision Revisited” (Walter L. Gross, Jr. v. Commissioner)

Edward F. Moran, Jr., CPA, CVA, and Douglas L. Letkeman, MBA, “The Marketability Build-up Method”

Jack V. Sinclair, Heritage Group, “A New M&A Tool—Life Settlements: The Sale of a Key-Man Policy for Cash”

### **November/December 2001**

Marshall A. Morris, CPA, ABV, CFE, CVA, “The Standard of Value for a Marital Dissolution”

Scott Shaffer, CPA, CVA, and Mark E. Pearson, AVA, “Overview of a Patent Damages Analysis”

Glenn A. Nakamura, CVA, CFE, CPA, “Fraud Investigations: Documentation and Reporting Considerations”

Sanford Kahn, “Liquidity is King—Not Elvis”

Allen J. Guldán, CPA, CVA, “Are We Underestimating Unsystematic Risk Premium?”

## **The Valuation Examiner – 2002**

### **January/February 2002**

Kalman A. Barson, CPA/ABV, CVA, CFE, and Marshall A. Morris, CPA/ABV, CVA, CFE, “Valuation in the Extreme: Tragedy’s Impact on Valuation”

Grover Rutter, CPA, CVA, BVAL, “Personal Professional Goodwill: Too Often Overlooked in Equitable Distribution Cases”

Scott E. Miller, CPA, CVA, “Why Do Attorneys Hire Experts?”

Tim Lebbon, “Technology Valuations—the Whys and Wherefores and Why Not?”

Scott D. Miller, “Valuation Issues in ESOP Court Cases: *Delta Star v. Patton*”

### **March/April 2002**

William A. Hanlin, Jr., CPA, CFE, CVA, and Mark W. Shirley, CPA, CVA, CFFA, “The Debate—Does *Daubert* Create New Standards for Business Valuations?”

Melissa A. Bizyak, CPA, ABV, CVA, “*Gross Decision Affirmed*”

Howard J. Schneider, CPA, CVA, CFFA, “Fraudulent Conveyances”

Rick Gore, PhD, CPA, “The Importance of Book Value in Equity Valuations”

Darrell D. Dorrell, CPA, MBA, ASA, CVA, CMA, “Marketability Discounts—A Comprehensive Analysis” (Part 1)

### **May/June 2002**

Lowell V. Getz, CPA, ASA, “Valuing A/E Firms”

Patrick W. Lovely, MBA, CPA, CVA, “Rebuttal Reports: Development Standards Are a Civil Matter”

Darrell D. Dorrell, CPA, MBA, ASA, CVA, CMA, “Marketability Discounts—A Comprehensive Analysis” (Part 2)

Susan G. Massey, CPA, CVA, “How Do Unrealized Capital Gains Affect Valuation of S Corporation Stock?”

Herman Kelting, AVA, “Geometric Mean Internal Rate of Return as a Measure of Ibbotson’s Historical Total Returns”

Thomas P. Wier, III, CPA, CVA, “Definition of the ‘Lemon Market’ is Valued at \$900,000”

Kevin Lawrence, “Train Your Clients—How Reasonable Clients Become Good and Good Clients Become Outstanding”

Mel H. Abraham, CPA/ABV, CVA, ASA, “Initial Considerations of Building a Valuation Practice”

### **July/August 2002**

Patrick W. Lovely, MBA, CPA, CVA, “Plagiarism: an ‘F’ on Anyone’s Valuation Report Card”

Jeffrey D. Urbach, MBA, CPA, CFE, CVA, “Using *The Goodwill Registry*: A Case Study”

Timothy A. Taylor, CPA, CVA, “The *Hackl* Attack”

Grover Rutter, CPA, CVA, BVAL, “Those Who Live by the Graph Can Die by the Graph: a Lesson from the Battlefield of Litigation Support”

Chris Hamilton, CPA, CFE, CVA, DABFA, “The Effect of Asbestos Litigation of the Valuation of a Business”

### **September/October 2002**

Grover Rutter, CPA, CVA, BVAL, “Business Valuation in Divorce: Does ‘Fair Market Value’ Include Future Potential?”

Ward Brian Zimmerman, PhD, MBA, CSSC, AVA, “Contrasts and Similarities of a Business v. and Individual’s Valuation: Litigation Support”

Stanford A. Graham, JD, “Corporate Veil Protection—Fact or Fiction?”

John Fogarty and David Oytan, “Ten Financial Tips for Today’s Business Owners” (BusinessScape Program)

Allen J. Guldán, CPA, CVA, “Should an S-Corporation Be Tax Affected?” (Should an S Corporation Be Tax-affected)

Edward F. Moran, Jr., MBA, CPA/ABV, CVA, and Douglas L. Letkeman, MBA, MA, “Is There Only One Value?”

### **November/December 2002**

Carl Lloyd Sheeler, CBA, AVA, “Difficult Questions to Consider before You’re Faced by Attorney T. Rex” (Part 1)

Edgar Gee, Jr., Willis Jackson, and Michael J. Knight, “The Seven Deadly Sins of Handling an Independent Contractor Case”

John Fogarty and David Oytan, “Preset Diversification Programs”

Richard K. Peterson, CPA/ABV, CVA, “IRS Wins ‘Rosy’ Decision for Two FLPs”

Melissa A. Cardwell, research specialist, “Book Review: *Valuation Issues and Case Law Updates—A Reference Guide*, Third Edition, by Mel H. Abraham, CPA/ABV, CVA, ASA

Susan M. Saidens, CPA, CVA, CITP, “The Challenge: Educating Clients on the Valuation Process”

Danny A. Pannese, MST, CPA, CVA, CSEP, “Fifth Circuit Reverses Tax Court in Valuing Estate’s Closely Held Stock”

## **The Valuation Examiner – 2003**

### **January/February 2003**

Baruch Lev, “Rethinking Accounting”

Scott E. Miller, CPA, CVA, and Mark E. Friedman, Esq., “Should We Keep It? Document Retention and Destruction”

John Fogarty and David Oytan, “The SIMPLE IRA: an Attractive Option for Smaller Businesses”

H. Thomas Campton, Jr., CPA, CVA, CFA, and Charles L. Kern, MBA, CPA, CVA, CFA, “Risk Differentials Related to Company/Market Comparisons”

Robert Rufus, MBA, CPA, CVA, CCA, “The Challenge of Earnings Management: a Valuator’s Perspective”

Carl Lloyd Sheeler, CBA, AVA, “Difficult Questions to Consider Before You’re Faced by Attorney T. Rex, Part 2”

Dean Dinas, director & senior economist of CEIR, “The National Economy: 3<sup>rd</sup> Quarter 2002 & Outlook through 2003”

### **March/April 2003**

Michael Elmaleh, CPA, CVA, “The Role of Valuation Specialists: Telling It Like It Is or Telling It Like We Think It Ought to Be?”

Carl Frieson, CMC, MBA, “Get That Article Published! (But Be Sure It’s the Right One)”

Carl Lloyd Sheeler, CBA, AVA, “Two Halves Don’t Equal a Whole: Theory & Practice of the Minority Interest”

Michael C. Reibling, CPA, CVA, “Discounted Cash Flows *versus* Income Approach”

Donald John Miod, CPA/ABV, CVA, CBA, “Reasonable Compensation and Replacement Compensation as Used in Business Valuations for Marital Dissolutions Purposes”

William Healey, CPA, CVA, “The *Gross* Decision: The Controversy Continues”

John Fogarty and David Oytan, “Added Value to Cash Management Portfolios”

### **May/June 2003**

Herman Kelting, AVA, “Deriving Discount Rates from Geometric Mean Internal Rates of Return Found from Matched Levels of Guideline Company Returns”

John Stockdale, Jr., “Stockdale’s Court Corner”

Michael Sack Elmaleh, CPA, CVA, MS, MA, “Do Investors Demand Higher Rates of Return on Risky Investments in Closely Held Small Businesses?”

Robert Rufus, MBA, CPA, CVA, “Financial Ratios: Use, Predictive Power and the Z-Score”

Chris Hamilton, CPA, CFE, CVA, DABFA, “Owner Compensation and the Value of a Closely Held Company”

Grover Rutter, CPA/ABV, CVA, BVAL, “Betrayed: True Stories of Valuation Report Betrayal”

Robert N. Levine, CPA, CVA, and Richard Millman, CPA, CVA, “IRS Attacks *Mandelbaum*”

### **July/August 2003**

Ronald D. Rudich, CPA, MS, CVA, CBA, “Business Opportunities for the Valuation Practitioner”

Bryan P. Robertson, “Strangi II: Bundle of Retained Powers is Deemed Retained Testamentary Interest under I.R.C. §2036”

John Stockdale, Jr., “Stockdale’s Court Corner”

Carl L. Sheeler, CBA, AVA, “Business Valuation Secrets Unveiled in the Market Approach”

Viresh Dayal, CPA/ABV, CVA, CFE, CIRA, “Taxability of Damage Awards”

Michael Sack Elmaleh, CPA, CVA, MS, MA, “The Income Method of Valuation: a False Analogy between Bonds and Stocks”

Marvin T. Brown, CPA/ABV, CVA, “Executive Compensation and the Cost of Capital”

### **September/October 2003**

Parnell Black, MBA, CBA, CVA, “Bureaucratic Myopia”

Michael Sack Elmaleh, CPA, CVA, MS, MA, “The Subjectivity and Relativity of Risk Assessments in Investment Decisions”

Andrew Murray, CPA, CVA, “Fun With Algebra”

Harry Cendrowski, CPA, CFE, CVA, and James Martin, CIA, CMA, “The Impact of Internal Control Structures on Business Valuations”

Richard C. Fox, Esq., and Sandra M. Shell, CPA, CVA, “Sarbanes-Oxley Act Exposes Connection between Ethics, Professionalism, and Liability”

John Marcus, MBA, CPA, CVA, CFFA, “Don’t Come to a Gunfight with a Dull Knife”

“Auto Body Repair Shop Industry Analysis Covering Philadelphia County, PA Metrics” (CEIR)

### **November/December 2003**

Carl Lloyd Sheeler, CBA, AVA, “Difficult Questions to Consider before You’re Faced by Attorney T. Rex”

Edgar Gee, Jr., CPA, MBA, DABFA; Willis Jackson, JD; and Michael J. Knight, CBA, CFE, CPA, “The Seven Deadly Sins of Handling an Independent Contractor Case”

David Oyton and John Fogarty, “Preset Diversification Programs”

Richard K. Peterson, CPA/ABV, CVA, “IRS Wins ‘Rosy’ Decision for Two FLPs”

Susan M. Saidens, CPA, CVA, CITP, “The Challenge: Educating Clients on the Valuation Process”

Danny A. Pannese, MST, CPA, CVA, CSEP, “Fifth Circuit Reverses Tax Court in Valuing Estate’s Closely Held Stock”

## **The Valuation Examiner – 2004**

### **January/February 2004**

Gary A. Mill, MBA, CPA, AM, and Gerald R. Tucker, CPA, CVA, CMC, CM&A, “Overcoming a ‘Gross’ Decision”

Michael Sack Elmaleh, CPA, CVA, MS, MA, “What Do the Ibbotson Historical Studies Really Prove about Firm Size, Risk and Return”

Brady T. Finney, AVA, “Selling Your Business 101”

“CEIR Industry Study—Trucking and Logistics Industry Analysis”

### **March/April 2004**

John W. Marcus, MBA, CPA, CVA, CFFA, “DIVORCE: Where Have All the Experts Gone?”

Marvin T. Brown, CPA/ABV, CVA, “Valuation Marketing: Just the Facts, Ma’am”

Chris Hamilton, CPA, CFA, CVA, “Engagement Letters”

James H. Schilt, CFA, ASA, CBA, “An Approach to Valuing the Closely Held Company”

Mark Kohn, CPA/ABV, CFE, CVA, “Reasonable Compensation in the Valuation Professional Practices and Small Businesses”

Harry Cendrowski, CPA, CFE, CVA, CFD; Lawrence R. Donaldson, Esq.; and James Martin, CMA, CIA, CFD, “New Review Standard—Check Your Malpractice Insurance”

### **May/June 2004**

Nicholas Apostolou, PhD, CPA, CrFA, and D. Larry Crumbley, PhD, CPA, DABFA, CFSA, “Recent Fraud Survey Reports are Helpful”

Herbert “Hal” Rosenthal, CPA, CFE, CVA, “Response to Three Persons’ Opinions”

Patrick J. McGuigan, CLU, ChFC, CPCU, FLMI, and Alan Eisner, PhD, “Cognitive Bias in the Valuation Process”

Grover Rutter, CPA/ABV, CVA, BVAL, “Patent Valuation from the CPA’s Viewpoint”

### **July/August 2004**

Lance S. Hall, ASA, “The Search for the Holy Grail: Getting Away from the 15-minute Discount Determination”

Carl Lloyd Sheeler, PhD, CBA, AVA, “Empirical Support for Illiquidity Discount Levels: Is it Time for a New Road Map?”

Roberto H. Castro, JD, MS, MBA, AVA, “Global Happenings”

### **September/October 2004**

Z. Christopher Mercer, ASA, CFA, and Travis Harms, CPA/ABV, CFA, “An In-depth Review of the Quantitative Marketability Discount Model and Competing Marketability Methodologies, Part 1”

Scott E. Miller, CPA, CVA, “You Got the Litigation Engagement, So Now What?”

A. Neil Paschall, CPA, CVA, CFFA, and Christopher L. Russell, Esq., “Financial and Legal Acquisition Due Diligence—Joined at the Hip”

Rod Burkert, CPA/ABV, CVA, “Book Review: Valuing Enterprise and Shareholder Cash Flows: The Integrated Theory of Business Valuation”

### **November/December 2004**

Z. Christopher Mercer, ASA, CFA, and Travis Harms, CPA/ABV, CFA, “An In-depth Review of the Quantitative Marketability Discount Model and Competing Marketability Methodologies, Part 2”

Faisal Al Sayrafi, “An Overview of the Saudi Banking Industry”

Herbert Kalman, CPA, CVA, “Exiting a Business Profitably Is More about Analyzing Value than About Good Luck”

Dean E. Heinberg, CPA/ABV, CVA, and Brian C. Riopelle, Esq., “The Use of the Financial Expert Witness (or Consultant)—From Both the Attorney’s and Expert’s Perspectives,” Part 1 [Part 2 in May/June 2005]

Michael A. Evanchik, PhD, and John L. Livingstone, PhD, “Patent Infringement Damages”

Nicholas G. Apostolou, PhD, CPA, CrFA, and D. Larry Crumbley, PhD, CPA, DABFA, CFSA, CFD, “Sarbanes-Oxley Fallout Leads to Auditing Standards No. 2: Importance of Internal Controls”

## **The Value Examiner – 2005**

### **January/February 2005**

Mark G. Filler, CPA/ABV, CVA, AM, CBA, “Dark and Stormy Night...Determining Lost Net Income During Construction”

D. Larry Crumbley, PhD, CPA, CrFA, CFD, and Lester E. Heitger, PhD, CPA, “Expert Witness under the False Claims Act”

Herbert L. Kalman, CPA, CVA, “Outside the Box! New Approach to Traditional Issues”

Bret G. Brewer, CPA/ABV, CVA, ASA, CBA, “American Jobs Creation Act of 2004 Positively Impacts Company Value”

Roberto H. Castro, JD, MS, MBA, AVA, “Global Happenings”

### **March/April 2005**

Harold S. Peckron, PhD, JD, LL.M., MBA, “Revenue Recognition in Business: Acquisition and Valuation”

Ray Hanson, “How to Create a Marketable Business”

Andrew Smith, PhD, CPA/ABV, CVA, CMA, “Insight into the DLOM from the Government Contractor Sector”

Jack W. Harris, CPA, CIA, CFE, and Andrew Ainsworth, MRICS, CCC, “Practical Analyses in Proving Damages”

Michael Brocks, CPA, “Advice to Business Owners: Forget Landing Venture Capital”

Edward B. Chansky, Attorney, “Book Review: *The Handbook of Business Valuation and Intellectual Property Analysis*, by Robert Reilly and Bob Schweih’s”

### **May/June 2005**

Stuart Weiss, MBA, CPA, CVA, “Business Valuation Reports: Make it Easy for Your Readers”

Nancy Neal Yeend, “Mediation 101: Understanding the Magic”

David Wood, CPA/ABV, CVA, “An Unwilling Seller—Is There Such a Thing?” (Fair Market Value, Goodwill, and an Unwilling Seller: Is a Covenant-not-to-Compete Required?)

Dean E. Heinberg, CPA/ABV, CVA, and Brian C. Riopelle, Esq., “The Use of the Financial Expert Witness (or Consultant)—From Both the Attorney’s and Expert’s Perspectives,” Part 2 [Part 1 in Nov/Dec 2004]

### **July/August 2005**

Yan Shaobing, Chinese CPA, CPV, “Restricted Stock Study: Marketability Discount for Chinese Corporate Shares”

David L. Palmer, CPA/ABV, ASA, CVA, and Joseph D. Brophy, MBA, CPA, CVA, “Adequate Disclosure of Gifts and Charitable Contributions for Tax Valuations”

William A. Hanlin, Jr., CPA, CFE, CVA, CFD, “Fraud Prevention through Deterrence—A Novel Approach”

Herman Kelting, AVA, “Closed-end Funds and the Operating Expense Minority Interest Discount Capitalization Rate”

Nancy Neal Yeend, “Mediation 120: Experts in Mediation”

Cindy Eddins Collier, MHA, MSA, CPA/ABV, CVA, CMPE, “Essential Tools for Valuation: a Review of *SBBi Valuation Edition Yearbook* and *SBBi Classic Edition Yearbook* (Ibbotson Associates, Chicago, 2005)”

### **September/October 2005**

Keith F. Sellers, PhD, CPA, CVA, and Craig T. Schulman, PhD, “Valuation with Regression Analysis: Using All the Info That Fits”

Nancy Neal Yeend, “Mediation 150: Negotiation Skills”

Richard Romero, MBA, AVA, PAHM, CMBS, and Christian Heuer, CFA, CBA, “A New Rx for Valuing Physician Non-compete Agreements”

Steven Babitsky, Esq., and James J. Mangraviti, Jr., Esq., “How to Be a Dangerous Expert Witness, Part 1”

### **November/December 2008**

Rob Hoffman, Esq., and Camille M. Penniman, Esq., “Recovering Lost Profits for Start-up Companies”

Frank A. Wisheart, CPA, CVA, CFE, “How to Derive the Discount Rate When Calculating Economic Losses”

Scott E. Miller, CPA, AVA, “Projecting Economic Losses”

Steven Babitsky, Esq., and James J. Mangraviti, Jr., Esq., “How to Be a Dangerous Expert Witness, Part 2”

## **The Value Examiner – 2006**

### **January/February 2006**

Michael Goldman, MBA, CPA, CVA, CFE, “Sleuthing for Unrecorded Income”

Paul E. Zikmund, MBA, MAcc, CFE, CrFA, “Company Fraud Risk Assessments—A Five-step Approach”

Charles F. Vuotto, Jr., Esq., and Jeffrey D. Urbach, MBA, CPA/ABV, CFE, CVA, “Stock Option Distribution via Constructive Trusts in Divorce Settlements”

### **March/April 2006**

Marshall A. Morris, CPA/ABV, CFE, “Reasonable Compensation Criteria for Business Valuations”

Robert M. Clinger, III, AVA, “Direct Market Data Method: Value Disparity Issues” (See Part 2 in July/August 2006)

Steven Babitsky, Esq., and James J. Mangraviti, Jr., Esq., “How to Be a Dangerous Expert Witness, Part III”

Alexandra A. Wrage, Esq., “The High Price of Inadequate Anti-bribery Compliance and Controls”

### **May/June 2006**

Michael J. Mard, CPA/ABV, ASA; Z. Christopher Mercer, ASA, CFA; and LuAnne Tanner, “Consider Subsequent Events”

Joel N. Crouch, Esq., and Joseph D. Brophy, MBA, CPA, CVA, CM&AA, “6 Keys to Avoiding Section 6701 Penalties”

Kenny Pierce, AVA, MBA, “Using Life Expectancy Tables in Economic Damage Calculations”

Herman Kelting, AVA, “Multiple Regression Analysis and the Asset Gross Revenue Multiplier”

### **July/August 2006**

Mark W. Shirley, CPA, CVA, CFFA, CFE, “Straight Talk about Statistics”

Robert M. Clinger, III, AVA, “Direct Market Data Method: Value Disparity Issues, Part II”

Troy D. Prather, CPA/ABV, MBA, “The Value of Household Services”

Steven Babitsky, Esq., and James J. Mangraviti, Jr., Esq., “How to Be a Dangerous Expert Witness, Part IV”

September/October 2006

Robert T. Slee, CBA, “What You Need to Know about Finance”

Nicholas Apostolou, CPA, CrFA, and D. Larry Crumbley, CPA, CrFA, CFD, FCPA, “Beware of Material Weaknesses and Significant Deficiencies: A New Environment”

Michael J. Mard, CPA/ABV, ASA, and James S. Rigby, CPA/ABV, ASA, “Driving Your Company’s Value”

Nancy Neal Yeend, “Where to Sit at the Negotiating Table—and Other Psychogeographical Strategies”

### **November/December 2006**

Carl A. Steffen, CPA/ABV, CVA, ASA, CBA, “Valuation Requirements under Section 409A”

Mark Kohn, CPA, CFE, CVA, ABV, “Goodwill of the Superstar within the Excess Earnings Methodology”

Herman Kelting, AVA, “Control-marketability Discounts, Asset Bifurcation, and the Unitary Holding Rule”

Timothy A. Taylor, CPA, CVA, “Fundamentals of an FLP Agreement”

## **The Value Examiner – 2007**

### **January/February 2007**

David M. Wood, CPA/ABV, CVA, “Goodwill Attributes: Assessing Utility” (sidebar “MUM’s the Word”)

Stuart Weiss, MBA, CPA/ABV, CVA, “Forensic Accounting Tools and Techniques”

Allan D. Koltin, CPA, “How to Build a ‘Go-to’ Matrimonial Accounting Practice”

Lance S. Hall, ASA, “New Tactics Required to Prove Discount for Lack of Marketability”

### **March/April 2007**

Nancy Fannon, CPA/ABV, ASA, MCBA, “S Corporations: Getting Down to Basics”

James A. DiGabriele, CPA, CFE, DABFA, CrFA, and Gabriela V. Simoes, “Forensic Accounting: the Nature of the Engagement”

D. Larry Crumbley, CPA, CFFA, CrFA, FCPA; G. Stevenson Smith, PhD, CPA, CMA; and Nicholas G. Apostolou, CPA, CrFA, “A Broad Approach to Forensic Accounting is Needed”

David N. Wood, CPA/ABV, CVA (introduction), “Buy-Sell Valuation War Stories” (excerpts from Z. Christopher Mercer, *Buy-Sell Agreements*)

Rod Burkert, CPA/ABV, CVA, “Book Review: *Buy-Sell Agreements: Ticking Time Bombs or Reasonable Resolutions*, by Z. Christopher Mercer”

### **May/June 2007**

Z. Christopher Mercer, ASA, CFA, “Valuation Mechanisms in Buy-sell Agreements”

Herman Kelting, AVA, “A Four-stage Model to Tax-affect Subchapter S Earnings before Tax”

Grover Rutter, CPA/ABV, CVA, BVAL, “Hypothetical Fair Market Valuation Is a Price-Range Concept”

Michael Goldman, MBA, CPA, CVA, CFA, “Is it Fraud or Incompetence?”

### **July/August 2007**

Robert J. Rufus, DBA, CVA, CFA, “Attorney-Client Privilege and the Forensic Accountant”

Cono R. Namorato, Attorney, “Circular 230 Gives OPR New Enforcement Tool”

David M. Freedman, “Rich Content is King”

Michael Goldman, MBA, CPA, CVA, CFE, “Book Review: *The Handbook of Fraud Deterrence*, by Harry Cendrowski, James P. Martin, and Louis W. Petro (Wiley, 2007)”

Mel H. Abraham, CPA/ABV, CVA, ASA, CSP, “Pension Protection Act Features New Qualifications for Appraisers”

### **September/October 2007**

Jay E. Fishman, FASA, CBA; Shannon P. Pratt, PhD, CPA; and William J. Morrison, CPA/ABV, “Marital Property Law in the United States”

Christian Heuer, CFA, ASA, CBA, and Richard Romero, AVA, PAHM, CMBS, CHFP, “Prescription for Valuing Intangible Assets in Health Care”

Peter J. Butler, CFA, ASA; and Keith A. Pinkerton, CFA, ASA, “Company-specific Risk: the Dow 30 v. Private Company USA”

D. Larry Crumbley, CPA, CFFA, CrFA, FCPA, and Nicholas Apostolou, PhD, CPA, CrFA, “America’s First (and Most Fearless) High-profile Forensic Accountant”

Grover Rutter, CPA/ABV, CVA, BVAL, “Build Value by Paying Taxes”

### **November/December 2007**

James A. DiGabriele, CPA/ABV, CVA, CFE, DABFA, CrFA, and Gabriela V. Simoes, AVA, “Lessons Learned from the *Med Diversified* Case”

Lee D. Sanderson, CPA/ABV, CVA, MST, “The New Business Valuation Standard for Divorce”

Richard A. Royston, CPA, CVA, FCA, CFE, “Book Review: *Show Me the Numbers: Designing Tables and Graphs to Enlighten*, by Stephen Few (Analytics Press, 2004)”

Jonathan G. Koomey, PhD, “Using Numbers in Oral Presentations”

David M. Freedman, “Write Letters to the Editor”

## **The Value Examiner – 2008**

### **January/February 2008**

Jonathan Friedland, Attorney; Mike Xu, Attorney; and James C. Dykstra, “The Paramount Role of Valuation in Corporate Restructurings”

Keith Sellers, DBA, CPA/ABV, CVA; Yingping Huang, PhD; and Sharon Campbell, DBA, CPA, “Measures of Central Tendency in Business Valuation”

William H. McAfee, Jr., CFP, AVA, “The Emperor’s New Clothes: Quantifying Risk in the Private Company”

Scott D. Miller, CPA/ABV, CVA, “Book Review: *Guide to ESOP Valuation and Financial Advisory Services, Second Edition*, by Robert F. Reilly and Robert P. Schweih (Willamette, 2007)”

### **March/April 2008**

Warren D. Miller, CFA, ASA, “Using SPARC to Enhance Value for Clients”

Robert James Cimasi, MHA, ASA, CBA, AVA, CM&AA, CMP, “Financial Benchmarking Research and its Application to Healthcare Valuation”

Randall Schostag, CFA, ASA, MCBA, AVA, BVAL, “Portfolio Valuation Creates Opportunities and Problems”

### **May/June 2008**

Frank Adams, III, PhD, “When a ‘Simple’ Analysis Won’t Do: Applying Economic Principles in a Lost Profits Case”

Anne P. Sharamitaro, Esq., and James B. Lurie, CPA/ABV, CVA, ASA, CBA, BVAL, CIRA, “The *Med Diversified* Case: How *Kumho Tire’s* Gate Became a *Daubert* Wall”

Randall Schostag, CFA, ASA, MCBA, AVA, BVAL, “Portfolio Valuation with Automation”

Peter J. Butler, CFA, ASA, and Keith A. Pinkerton, CFA, ASA, “The Butler Pinkerton Model: Empirical Support for Company-specific Risk”

### **July/August 2008**

Carsten Hoffmann, ASA, “Four FLP Discount Issues in One Case: *Astleford v. Commissioner*”

Michael Goldman, MBA, CPA, CVA, CFE, “Valuation of Startup and Early-stage Companies”

Michael Sack Elmaleh, CPA, CVA, “Distinguishing Owner Compensation from Profit: In Search of a Responsibility Premium”

Jonathan Friedland and Mike Xu, “*Exide*: a Case Study of Valuation’s Role in Corporate Restructuring”

### **September/October 2008**

Darrell D. Dorrell, CPA/ABV, MBA, ASA, CVA, CMA, DABFA; Gregory A. Gadawski, CPA/ABV, CVA, CFE; and Thomas S. Brown, CPA/ABV, CVA, CFFA: “Marketability Discounts—A Comprehensive Analysis”

Robert A. David, MBA, AVA, “Forecasting Cash Flows Using Area Under the Curve”

Elise Howes, MBA, “Book Review: *Cash Out, Move On*,” by John H. Brown

### **November/December 2008**

Andreas Creutzmann, WP, CVA, StB, Dipl.-Kfm, “Rhetorical Skills Help Win New Business: What Valuation Professionals Can Learn from Obama”

Michael Sack Elmaleh, CPA, CVA, “Investing in a *Better* Job”

Richard L. Hannah, PhD, “Economic Loss in Breach of Post-employment Covenants”

Elge Premeau and David M. Freedman, “How to Use the New Internet for Business Development”

Eva Lang, CPA/ABV, ASA, “Book Review: *The Business Valuation Internet Research Guide*,” by Jan Davis (JT Research, Portland, OR, 2008)

## **The Value Examiner – 2009**

### **January/February 2009**

Michael Goldman, MBA, CPA, CVA, CFE, CFF, “Market Turmoil May Require New Ways to Build up Cost of Capital”

Shannon P. Pratt, CFA, FASA, ARM, MCBA, CM&AA, and Roger J. Grabowski, ASA, “Cost of Capital in Valuation of Stock by the Income Approach: Updated for an Economy in Crisis”

Mark W. Shirley, CPA/ABV, CVA, CFFA, CFE, “Measures of Variability: Interpreting the Mean”

### **March/April 2009**

Larry J. Kasper, MBA, CPA, CVA, CBA, “The Relationship Between Holding Period and Probability of Sale”

D. Joshua Staub, JD, CFE, “The Impact of Pending Litigation on Fair Value”

### **May/June 2009**

Scott B. McCallum, MBA, “Bank Valuations: a Tough Environment for Bankers *and* Valuators”

W. Christopher Bakewell, ASA, CLP, and Bruce G. Dubinsky, CPA, CVA, CFE, CFFA, “Valuation of Patents: Legislative and Judicial Developments on Damages in Infringement Cases”

Steve Rabin, MBA, CPA, CVA, CITP, “The Fair Value Compromise—a Proposed Solution”

Mark Kohn, CPA/ABV, CVA, CFE, CFF, “Valuation of High-end and Unusual Inventory”

### **July/August 2009**

Alfred M. King, AB, MBA, CMA, CFM, “Valuation Issues in Mark-to-Market Accounting

Charles S. Lunden, CPA/ABV/CFF, CFE, CLU, FLMI, CMA, and Bruce Al Leauby, PhD, CPA, CFE, CMA, “Going Down but Not Gone: Underpricing in the 2008 IPO Market”

Rob Clee, CBA, “The New Math of Middle-Market M&A”

Michael Sack Elmaleh, CPA, CVA, MS, “Liquidity and Investment Class”

### **August/September 2009**

Michael J. Mard, CPA/ABV, ASA; Steven D. Hyden, CPA/ABV, ASA; and Edward W. Trott, CPA, FASB, “Valuation of Intangible Assets in a Business Combination”

Margaret Grisdela, “Mining Court Documents for Future Engagement”

Michael Goldman, MBA, CPA, CVA, CFE, CFF, “Book Review: *Expert Fraud Investigation: A Step-by-Step Guide*, by Tracy L. Coenen (Wiley, 2009)”

## **November/December 2009**

John F. Coffey, MAS, CPA/ABV, CVA, CFE, PFS, “The Capex Adjustment”

Michael W. Barad, “Size Matters: How to Apply Size Premium Metrics When Size-Based Category Breakpoints Overlap”

David M. Freedman, “Optimize Your Website Content”

## **The Value Examiner – 2010**

### **January/February 2010**

Larry J. Kasper, MBA, MAc, CPA, CVA, CBA, “Fallacies of the Butler Pinkerton Model and the Diversification Argument” (responses by Peter Butler and Keith Pinkerton)

John T. Alfonsi, CPA/ABV/CFF, CFE, CVA, and Walter M. McGrail, JD, CPA, “Partnerships and S Corporations: Not All Flow-through Entities are Created Equal”