

Practical Wisdom, Trusted Advice.

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The Most Innovative Trust Ever

PROTECT YOUR ASSETS (AND YOUR CHILDREN'S FUTURES)

Big innovations don't happen all that often in the world of estate planning and trusts. Sure, occasionally, new laws make some waves in the industry, but it's rare that we get excited because something is so cool. So, when something like that does happen, I get pumped about it.

And I am *really* pumped about this new trust!

This new trust, which we have affectionately named the 20–20 Hindsight Trust, is the closest we will ever get to being able to "predict the future." In estate planning, we try to plan as best as we can for what the future may hold in five, 10, or even 20 years. But the truth is, we can only make very educated guesses. We have the expertise to navigate the legal industry, and you understand your family best. Together, we can create a plan built around what we believe is best and hope it serves your family well.

In most cases, this approach does the job. However, life is unpredictable. We can't actually see the future and know where our children and families will be once we are gone. So, the plans we make for it can sometimes be off.

To combat this, the 20–20 Hindsight Trust can change and adapt based on your children's (or beneficiary's) situation. This can protect their assets from divorce, creditors, regulations that strip away government benefits upon inheriting money, business debt, and other bills. Think of it like a toggle switch. We can create a trust that automatically adjusts to your children's or beneficiary's life after you pass.

For example, let's say parents have this trust in place. At the time the trust is created, their children are in a secure place financially. However, after they pass, perhaps one of their children goes through a divorce or has unforeseen expenses that threaten to bankrupt them. Rather than lose out on the assets their parents set aside for them because of a divorce or unforeseen expense, their inheritance can still be protected. This trust locks everything down until the storm passes so their children can still receive the assets left for them without fear of losing them.

This trust literally gives us the gift of hindsight. Clients now have built-in protection designed to better protect their wishes



and ensure their beneficiaries' assets are protected from the uncertainty of life.

Here's another cool part: Right now, Monteforte Law, P.C. is the only law firm in Massachusetts that is licensed to offer this powerful trust for our clients. And we're doing so with a special offer. The first 50 existing clients to amend their trust to the 20–20 Hindsight Trust can do so for just \$997. All you have to do is tell us you want this trust, and we will take care of the language and document preparation; then you come in to sign the documents. That's it! We take care of everything, and your assets gain greater protection.

Going forward, all of our new clients will receive this kind of trust, and we encourage all our existing clients to consider this level of protection. This isn't just the nerdy estate planning lawyer in me speaking. This is one of the most innovative legal changes to estate planning in a long time. And it just so happens to give us the power to better protect your loved ones.

Call us today to get your 20–20 Hindsight Trust or go to www.HindSightTrust.com!

—Mike Monteforte Jr.

What Every Professional Needs to Know About Criminal Law

Our guest writer this month is Nate Amendola, criminal law attorney in Norwell, MA.

It can happen to you. I've represented doctors, lawyers, financiers, entrepreneurs, people who party, and those who don't. And everything in between. All that's required to be charged with a crime is probable cause, a standard that as my friend says, is "lower than whale \$hit at the bottom of the ocean."

Abide by the obvious precautions: Don't drink and drive, don't abuse your spouse, don't look at things on the internet you're not supposed to, pay your taxes, and follow the rules.

But, in life, it's not always that clear. Or more to the point, things aren't black and white. Life is gray. Can you consume *any* amount of alcohol or drugs and drive? Don't I have a right to defend myself or my children? The act was consensual, so now it's my word against hers? I have a brilliant accountant and she found this tax loophole; how am I being charged for this? *That's* considered bribery?!

Not everyone who's charged with a crime is a criminal. It may seem that way on TV, but it doesn't work like that out here in the jungle. Asking the police and authorities not to investigate and prosecute crime is like asking a hammer not to strike a nail. It's not going to happen. It's in their nature.

You're a professional and there are 10 things you must know and understand now that you're playing in the majors.

1. Assume that everything is discoverable. In other words, every email, text message, website, phone call, and credit card swipe leaves a digital footprint. The government can and will get all of it. Yes, you have some wonderful Fourth Amendment protections that pertain to probable cause and warrants that may save your hide when it comes down to it, but it's not like the old days. It's all out there.
2. Assume that if you talk, you're going to incriminate yourself. Remember: You have the right to remain silent. Use it. I know you want to be polite and cooperate. You should always, always be polite. You should never, ever cooperate. Everything you say to law enforcement is being recorded. You don't win nice guy points for trying to be honest with them. You don't need to be honest. You need to be silent. I know you want to explain yourself because it's "not like that." You're probably right. But this isn't the right time or place. There are no exceptions to this rule.
3. Assume the police want to help you but can't. Who can help you? Your lawyer. And potentially your lawyer working with the prosecutor. Or occasionally, your lawyer working with the police. Police are generally good people, but remember that hammer and nail thing? They can't help you, not because they don't want to, but because their job is to investigate crime, not prosecute it.

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BIGGER STARS, BIGGER MESSSES

Chaotic Celebrity Probate Battles Hold Lessons for All

While living celebrities claim an outsized share of our attention, many keep grabbing headlines long after they die. Among crazy celebrity probate cases, few have made a bigger mess than celebrated entrepreneur Tony Hsieh.

In November 2020, after 20 years of leading the high-flying retailer Zappos, Hsieh died alone without a will at age 46 from injuries caused by a fire he set himself, leaving a \$500 million estate. He had jotted many of his final wishes only on sticky notes, so his family and friends are still battling in court.

her an allowance so she could remain in the couple's home. However, his three children eventually inherited the home, and the widow agreed to a settlement in 2015.

Even murkier is the case of Gary Coleman, star of the TV series "Diff'rent Strokes." Coleman died at age 42 after a fall in his home left him in a coma with a brain hemorrhage. Coleman and his ex-wife, Shannon Price, divorced in 2008, and the actor left his estate to Anna Gray, his personal assistant and former girlfriend, in a 2005 will. Price claimed Coleman created a 2007 codicil that left his assets to her, so the battle dragged on for years.

The lesson here? The bigger they are, the harder they fall? Perhaps. But there is also real wisdom to be gained: Don't do as these celebrities did. Seek professional help with estate planning — long after you're gone, your loved ones will thank you for it.

After the artist formerly known as Prince died in 2016, no fewer than 700 people claimed to be his descendants. Without a will or named executor, the artist's estate remained unsettled for years as lawyers, bankers, advisers, and heirs haggled over it. It took DNA testing to clear the fog, qualifying his sister and five half-siblings as his rightful heirs.

Relatives of the beloved comedian Robin Williams mounted a long and bitter legal fight over his estate, estimated at more than \$100 million. His widow, Susan Schneider Williams, claimed Williams intended to leave



Photo:
Eva Rinaldi

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4. Federal prosecutions usually come with incarceration. The judge makes the call.
5. Most crimes (excepting generally white collar) are state. Threat of jail is real in state crimes, but mostly for serious felonies involving sex, drugs, or guns.
6. The best criminal lawyers keep the main thing the main thing. They practice only criminal law.
7. Judges and juries are human. They have fights with their spouses, addictions, depressions, anxieties, and misbehaved children. That's what makes them subject to persuasion.
8. If it looks straightforward and easy, it isn't.
9. Every problem has a solution.
10. There are two rules for success. No.1: Never tell everything you know. No. 2: Except to your lawyer.

—Nate Amendola



Chipotle-Inspired Chicken Burrito Bowl

Inspired by EasyChickenRecipes.com

Ingredients

- 2 boneless chicken breasts
- 2 tbsp olive oil
- 1 tsp paprika
- 1 tsp cumin
- 1/2 tsp chili pepper
- 1/2 tsp salt
- 1/2 tsp pepper
- 1 cup white or brown rice, cooked
- 2 cups shredded romaine lettuce
- 1 cup canned corn
- 1 cup canned black beans
- 1 avocado, cubed
- 1/4 cup sour cream
- 1/4 cup shredded cheese

For Salsa

- 1 tbsp chopped cilantro
- 1/2 tomato, chopped
- 1/2 onion, chopped
- 2 tbsp white vinegar
- 4 tbsp lime juice
- Salt, to taste

Directions

1. Cut chicken into bite-size pieces. In a medium-size bowl, add chicken, olive oil, paprika, cumin, chili pepper, salt, and pepper. Mix until chicken is evenly coated.
2. In a skillet over medium heat, cook chicken for 7 minutes or until cooked through. Set aside on a plate.
3. In a large bowl, layer the rice, lettuce, corn, beans, and cooked chicken.
4. In a separate bowl, mix together salsa ingredients, then pour over the chicken mixture.
5. Top with avocado, sour cream, and cheddar cheese. Enjoy!

BIGFOOT IS AN ENDANGERED SPECIES!?

A Washington County's Unique Hunting Ban

Most people don't consider the legality of Bigfoot hunting, but in Washington state, it's part of the law. In Skamania County, it's illegal to kill the mythological ape. Should someone murder the creature, they'd face a stiff penalty.

Bigfoot — sometimes called Sasquatch — is an elusive ape-like cryptid said to roam the forests of North America. It allegedly has reddish-brown fur, a gorilla-like body, and its namesake big feet. Some claim Bigfoot is the "missing link" between walking apes and our ancestors, who walked on all fours. Most scientists dispute the claim, saying that any ancestor this old likely would've adapted or gone extinct.

Bigfoot was first spotted in California in 1958, and most sightings since occur in Washington state. Per every 100,000 people, 9.12 sightings are in the Evergreen State. That's a third more often than its neighbor Oregon, the runner-up at 6.06. If there were a Bigfoot capital of the world, it'd be in Washington.

On April 1, 1969, the Skamania County legislature enacted Ordinance 1969-01, the first law prohibiting the killing of Bigfoot. Anyone convicted of murdering the cryptid would be classified as a felon and imprisoned for five years. While modified decades later, it set an important precedent: Bigfoot is a protected species.

Tourism picked up shortly after that. Bigfoot mania officially hit the U.S. in the 1970s as directors released films like "Sasquatch, the Legend of Bigfoot." New Bigfoot enthusiasts started to visit Washington in droves, hoping to be the first to find proof of its existence. While locals appreciated the influx of cash from tourism, they didn't appreciate the influx of guns from Bigfoot hunters.

County legislatures enacted a new ordinance in 1984. It further clarified the regulations on Bigfoot and designated the ape as an endangered species. As such, hunting Bigfoot with the intent to kill is illegal. However, the ordinance softened the penalty for hunting Bigfoot, lowering the penalty for poachers to a year in prison or a fine of up to \$1,000.

Every law has some logic; no matter how frivolous it may seem, there's a reason why lawmakers went through the trouble. While this law may seem unnecessary, it protects "Bigfoot" and the Skamania County citizens alike.





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RED BULL DOESN'T GIVE YOU WINGS

MARKETING CAMPAIGN DISPROVED IN COURT

For decades, Red Bull has run the marketing campaign that its energy drink gives people wings. Most assume it's a joke, an exaggeration of the beverage's stimulating effects.

The courts disagreed. A group of Red Bull drinkers in 2014 filed a class action lawsuit against the Austrian company, accusing them of false advertising. Despite the company's claims, they alleged that the drink does not give you wings.

To be more specific, the suit alleged that the ad campaign uses flying imagery to convey that the beverage is better than other caffeinated drinks. While the brand's messaging claims it improves response times and concentration, the suit alleges the beverage isn't much more effective than a cup of coffee.

Red Bull settled for over \$6 million. They also agreed to compensate customers who were disappointed about the drink's wingless results. Such claimants could receive \$10 or

a voucher for \$15 of Red Bull products. But before you go writing a letter to Red Bull for your voucher, know that customers are no longer eligible for this compensation.

In Red Bull's words, they settled to "avoid the cost and distraction of litigation," noting that their ad campaigns and can labels "have always been truthful and accurate." Red Bull denied any wrongdoing.

What Red Bull did was tread the line between false advertising and "puffery," the legal term for extravagant claims about a product. The law allows for some lofty claims — such as "World's Best Coffee" — so long as they are opinions. "Red Bull gives you wings" sounds like a factual statement, so it doesn't fall under puffery.

The energy drink company has continued using the slogan in its marketing in event sponsorship and TV ads. So, while Red Bull may not *actually* give you wings, it did pay out a lot of money in a court settlement over the claim.

