



XLP

Chronicles

XLP SECURES HIGH SIX FIGURE SETTLEMENT FOR GOVERNMENT CONTRACTING CLIENT!

Milt Johns and XLP's Government Contracts team secured a high six figure settlement for a client in a dispute over a Department of the Navy contract. This Contracts Disputes Act matter required litigation in the Court of Federal Claims and the Court of Appeals for the Federal Circuit, but the US Government finally agreed to pay the client in the high six figures to resolve the matter.

Every case is different and results will always vary based on the facts. But if your government contracting company has a dispute over payment or performance with the US government, XLP professionals have decades of experience in the Gov Con arena, as well as litigation of Federal disputes.

Call today for a free phone consultation at 571-500-1010.



FIND US ON:



JILL'S "LIT" TIPS

Why Do I Need an Operating Agreement?



While Virginia does not require an LLC to have an operating agreement, it is best practice to not only have an operating agreement, but to have an operating agreement tailored to your specific business model as well as the members' goals and needs. No LLC is too small for an operating agreement. A well-drafted operating agreement will spell out specifics such as :

- ownership percentage of each member;
- member capital contributions;
- role/responsibilities of each member;
- how and when distributions are made;
- how the business will be managed and what decisions will require a unanimous decision v a majority decision;
- what happens to a member's interest if he wants to leave the business or gets divorced;
- how the value of the business will be determined if a member wants to sell;
- under what circumstances can or will the business be dissolved.



While the operating agreement cannot prevent disputes, the well-drafted operating agreement will help ensure that the original intent of the members prevails.

XLP TEAM SLAM DUNKS IN COURT

Jill F. Helwig and the XLP litigation team secured a six-figure judgment for a small-business client in Fredericksburg Circuit Court.



The matter was initiated by the filing of a complaint for breach of contract against our client. We countered with a breach of contract claim against the Plaintiff and ultimately secured summary judgment in favor of our client on the original breach. We also secured summary judgment on the issue of liability against plaintiff on our counterclaim, leaving only damages to be determined at trial.

The court agreed with our client's presentation of damages and attorneys' fees and awarded the requested amount.

ESTATE TIPS WITH PAUL PRADOS

Are you unsure about the validity of a Will or Trust?

Improperly signed documents are often still enforceable if they reflect the desire of the deceased. Having an attorney take the time to understand the underlying details of how a document was created will give a clearer picture of validity.

Is your estate very small? Do not presume that there is no way to claim the assets of an estate.

You may have rights that take priority over debt.

Determining when a lawsuit is necessary is major key considering that not every mistake requires a lawsuit and not every lawsuit requires litigation. The purpose of a lawsuit is to reach a reasonable resolution.

Are you an Executor or Trustee concerned about distributing money?

- An attorney is expensive. Still, a mistake can be far more costly. View an attorney like you would an accountant. Is it worth it to minimize the chances of later litigation?

Are you concerned something was done wrong by an Executor or Trustee?

- There are almost always mistakes in administration but most mistakes have minimal consequence. However, you will need an attorney when there are repeated mistakes or purposeful mismanagement.

If you have never hired an attorney, here are some tips:

1. Ask if there is a consultation fee, what the consultation entails, and do not be afraid to say no thank you. However, some subject matters almost always require a fee for consultation, such as domestic relations.
2. Do not expect to be equipped to handle the matter by yourself from a consultation.
3. Listen for signals that the attorney has experience in the type of case you are asking about.
4. Listen for an explanation of the fee, billing, and payment structure. Attorneys are expensive, you should know what you are getting into.
5. Depending on your type of matter, different attorneys will have different fee structures such as hourly rates, flat rates, contingency fees, and sometimes fee caps. There will also be a deposit required for almost all matters. Your potential counsel should know how to price your case, and if asked, provide an understandable explanation. If an attorney does not know how to price your case and justify it, they likely do not know what your representation entails. The default, when it is not possible to tell how much something will cost, is to go with an hourly rate with a deposit amount that has an explanation.
6. Talking to an attorney does not mean you have to hire them. This next part seems built in: Hire the attorney you TRUST after consultation.

