



Marcel J. Bernier

Partner

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**MURTHA
CULLINA**

Education:

Boston University (LL.M. in Taxation)

University of Connecticut School of Law (J.D.)

Florida State University (B.A., *magna cum laude*)

Description:

Marcel Bernier is the Chair of the firm's Business Practice Group, the Chair of the firm's Privately Owned Business Group and a member of the Tax Practice Group, the Health Care Practice Group and the Trusts and Estates Department.

Marcel has practiced corporate, limited liability company and tax law for over forty years and is very effective at assisting clients with achieving their objectives. He serves as general counsel to many businesses and provides advice with respect to structuring new business entities, acquisitions, sales, mergers, reorganizations, deferred compensation, phantom equity plans, buy-sell agreements and business succession planning. He has drafted over 100 operating agreements, employment agreements and buy-sell agreements. He has completed hundreds of business purchase and sale transactions. His accounting and tax background are helpful in structuring and negotiating business transactions and business succession agreements.

Marcel represents many family businesses with respect to general business matters and business succession planning. He is the author of "Preserving Your Business for the Next Generation," Chapter 3 of The ABA Practical Guide to Estate Planning, published by the ABA, 2011. ([Click here to read Chapter 3 of the Guide](#)).

He is the author of "Business Exit Strategies" published by the Hartford Business Journal. ([Click here to read the article](#)). He is also the author of "The Connecticut Uniform Limited Liability Company Act" published by the Connecticut Lawyer in May of 2017. ([Click here to read the article](#)).

He represents many professional firms, including medical, engineering and law practices with respect to practice acquisitions and sales, the admission and the retirement of partners, employment agreements, operating agreements, buy-sell agreements and practice succession planning.

Marcel advises high net worth clients with respect to estate planning, minimizing federal and Connecticut estate taxes and probate and trust administration matters.

He majored in accounting and finance at Florida State University, received his law degree from the University of Connecticut School of Law and received a Masters of Laws degree in Taxation from the Boston University Graduate Tax Program. Marcel was a Co-Chair of the Connecticut Bar Association Committee which drafted the Connecticut Uniform Limited Liability Company Act. ([Click here to view his testimony supporting the Connecticut Uniform LLC Act](#)). He was a member of the Connecticut Bar Association Committee which drafted the Connecticut Entity Transactions Act. He is a member of the Business Law Section Executive Committee and the Tax Section Executive Committee.

Publications:

"The Connecticut Uniform Limited Liability Company Act" published by the Connecticut Lawyer, May 2017

Planning, published by the ABA, 2011

"Business Exit Strategies" published by the Hartford Business Journal, May 2010

Speaking Engagements:

"Preserving Your Family Business for the Next Generation" panel for Exit Planning Exchange, November 2018

"Drafting Enforceable Restrictive Covenants" seminar for the Connecticut Bar Association Business Law Section, November 2018

"Acquiring a Business" panel for business owners, October 2018

"Unlock the Value of Your Business" panel for Apella Capital, September 2018

"Preparing for the Exit" panel for KeyBank, June 2018

"Assess, Grow and Capture the Value of Your Business" panel for Apella Capital, May 2018

"Connecticut Uniform LLC Act" seminar for Federal Tax Institute of New England, November 2017

"Unlock the Value of Your Business" panel for Apella Capital, October 2017

"Buy Sell Agreements & Business Exit Strategies" presentation for Sagemark Consulting, October 2017

"How to Maximize the Value of Your Business" seminar for MetroHartford Alliance members, May 2017

"Connecticut Uniform LLC Act" seminars for the Connecticut Bar Association, September 2015, June 2016, September 2016, April 2017 and June 2017

"Preparing for Business Transitions" for business owners, April 2017

"Connecticut Uniform LLC Act" seminar for the Connecticut Society of Certified Public Accountants, October 2016

"Learn How Your Business Stacks Up" seminar for business owners, February and June 2016

"Drafting Enforceable Restrictive Covenants" seminar for the Business Law Section of the Connecticut Bar Association, May 2014

"Connecticut Entity Transactions Act" seminar for the Connecticut Bar Association, March 2014

"LLC Developments" seminar for the Business Law Section of the Connecticut Bar Association, November 2013

"LLC Fiduciary Duties - To Be or Not to Be? That is the Question" seminar for the Connecticut Bar Association, June 2013

"Letters of Intent for Business Purchase and Sale Transactions" seminar for M&A Source, May 2011 and June 2013

"Exiting Your Business, Protecting Your Wealth - Legal Agreements" seminar for Pinnacle Equity Solutions, June 2009 and September 2010

"Duties of a Director of a Nonprofit Corporation" seminar for the directors of the Connecticut State Medical Society, May 2010

"Buy Sell Agreements and Business Exit Strategies" seminar for business owners, October 2009

Practices & Industries:

- Business and Finance

- Distributor, Dealer, Franchise Group
- Family Business
- Health Care
- Mergers and Acquisitions
- Private Investment Funds
- Privately Owned Businesses
- Tax
- Tax Practice and Procedure
- Tax-Exempt Organizations
- Trusts and Estates

Bar & Court Admissions:

- Connecticut
- U.S. Tax Court
- U.S. District Court, District of Connecticut

Memberships:

- American Bar Association, Section of Business Law
- American Bar Association, Section of Taxation
- Connecticut Bar Association, Business Law Section Executive Committee
- Connecticut Bar Association, Tax Section Executive Committee

Recognition:

- Listed as leading Corporate/M&A lawyer in Chambers USA, Chambers & Partners-Publishing (Chambers.com)
- Listed in [The Best Lawyers in America®](#) as Lawyer of the Year for Hartford in the area of Corporate Law, 2021 (Copyright by Woodward/White, Inc., Aiken, SC)
- Listed in [The Best Lawyers in America®](#) in the area of Corporate Law (Copyright by Woodward/White, Inc., Aiken, SC)
- Holds an AV® Preeminent™ Peer Rating from Martindale-Hubbell for over 20 consecutive years
- Listed in [Connecticut Super Lawyers®](#) in the areas of Closely Held Business, Mergers & Acquisitions, Tax since 2006 (Super Lawyers is a registered trademark of Key Professional Media, Inc.)
- Listed in Best Lawyers in Connecticut in the area of Corporate Law
- Listed in Best Lawyers in New England in the area of Corporate Law

Community Activities:

- West Avon Congregational Church, Past Chair of the Board of Deacons
- West Avon Congregational Church, Past Chair of the Personnel Committee
- West Avon Congregational Church, Past Chair of the Rebuilding Together Hartford Committee
- West Avon Congregational Church, Past Chair of the Search Committee
- West Avon Congregational Church, Past Chair of the Youth Council
- West Avon Congregational Church, Past Member of the Board of Christian Education
- West Avon Congregational Church, Past Member of the Church Council
- West Avon Congregational Church, Past Member of the Capital Campaign Committee
- West Avon Congregational Church, Past Member of the Endowment Committee