

Joseph D. Walker

Partner

Columbia, SC
(803)753-3253
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For the past thirty years Joe Walker has represented many closely-held companies in all aspects of their business arrangements. This representation ranges from simple shareholder agreements dealing primarily with estate planning issues to complex interrelated management/partnership agreements with Fortune 100 partners. These entities may be "S" corporations, partnerships, trusts or, most recently, limited liability companies.

This representation has frequently included providing estate planning and preparing complex wills, trusts and other related documents. As a part of these engagements, Mr. Walker has guided clients through the probate process in South Carolina including estate administration, guardianships and conservatorships.

In addition, Joe has represented numerous exempt organizations ranging from qualified retirement plans to exempt organizations employing substantial numbers of employees. The exempt organizations range from tax-exempt cooperatives to faculty practice plans to large private foundations.

Joe also has substantial experience in dealing with ERISA and deferred compensation issues. For example, Mr. Walker has assisted in the establishment of welfare benefit plans such as VEBAs, assisted employees in adopting and administering qualified retirement plans, including ESOPs, and the design and drafting of various non-qualified deferred compensation arrangements.

Experience

- Represented partnerships and drafted management agreements for operation of partnerships engaged in the wireless communications business
- Represented partnerships and drafted partnership agreements dealing with partnership fiduciary issues, enforcement of

PARALEGAL/ASSISTANT

Legal Practice Assistant

Andrea D. Whittleton
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CAPABILITIES

Corporate Law

Tax Law

Trusts & Estates Planning

EDUCATION

LL.M., Georgetown University (1983)

J.D., University of South Carolina
(1981)

B.A., University of South Carolina
(1978)

LICENSED IN

South Carolina

ADMITTED IN

U.S. Tax Court

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partnership agreements and partnership valuation and appraisals including issues related to minority discounts and premiums for control

- Worked with investment bankers to successfully market interests in partnership to managing partner
- Represented various professionals including physicians, dentists and veterinarians, on issues related to the formation of or the dissolution of professional practices and resolution of deadlocked closely held professional practices
- Represented client in real estate business with substantial estate tax liabilities and family business issues including "6166" election and other similar matters
- Represented clients in dealing with estate tax valuation issues including minority discounts, blockage discounts and other valuation issues
- Prepare on a regular basis estate planning documents including wills, durable power of attorney, healthcare power of attorney, and revocable trusts
- Represented various tax exempt cooperatives in dealing with income taxation of cooperatives
- Represented various exempt organizations in the healthcare and educational fields including issues relating to unrelated business taxable income and debt financed income
- Represented faculty practice plan in health care arena
- Represented various exempt organizations in issues relating to standards of conduct for boards of exempt organizations including drafting bylaws, committee charters, investment policies and conflict of interest policies
- Represented various exempt organizations in issues relating to maintaining exempt status including but not limited to private inurement, excess benefit transactions, and general standards of conduct for boards of exempt organizations

Honors & Recognition

- Listed in *The Best Lawyers in America*®, Corporate Law since 2021, Employee Benefits (ERISA) Law since 1995, Mergers and Acquisitions Law since 2018, Tax Law since 2009
- Martindale-Hubbell AV Preeminent™ Peer Review Rating
- Named, Legal Elite of the Midlands, *Columbia Business Monthly* (2010)

News

- Best Lawyers® 2024 Honors 244 Burr Attorneys, Including 17 "Lawyers of the Year"
Firm News, 08.17.2023
- 50 McNair Attorneys Included in The Best Lawyers in America 2018
Firm News, 08.22.2017
- 54 McNair Attorneys Included in The Best Lawyers in America® 2017
Firm News, 08.15.2016

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Blog Posts

- Tax Planning in Uncertain Times
Tax Law Insights, 02.09.2017
- Prohibited Transactions for Retirement Plans
Tax Law Insights, 10.13.2016
- Family Limited Partnerships: Estate Tax Benefits and More
Tax Law Insights, 08.10.2016
- Required Minimum Distributions: Is Deferral Always the Best?
Tax Law Insights, 04.26.2016
- Wait a Minute: Congress Passes Law Requiring Consistent Basis Reporting Between Estates and Beneficiaries for Estate Tax Purposes
Tax Law Insights, 03.30.2016

Civic Activities

- Chairman, Finance Council, Our Lady of the Lake Catholic Church
- Board of Directors, Camp Discovery
- USC University Associates
- Founding Member, Rotary Club of Lake Murray
- Former Chairman, Educational Foundation of Lexington/Richland 5
- Member, Dutch Fork Choral Society

Professional Activities

- Member, South Carolina Independent Colleges and Universities Board of Trustees
- Member, McNair Law Firm Foundation
- Paul Harris Fellow