

# HAVELET

ASSIGNMENT COMPANY

## Competitive Advantages

- Unlike other assignment companies, Havelet provides an attorney fee deferral product that mitigates all US Tax consequences to the attorney. This is accomplished through the use of a private placement annuity contract. The annuity contract addresses s10.2 of The US Barbados Treaty and the result is that no US tax is due on the assignment or on the growth of the portfolio.
- Havelet has acquired legal, tax and securities advice from an independent party, Withers Bergman. The scope of Havelet's opinion covers the US tax consequences to the attorney as well as to the assignment company.
- Havelet has acquired legal advice from an independent party, Withers Bergman, regarding the tax consequences associated with the use of a qualified settlement fund.
- Havelet employs an investor control policy in accordance with The Tax Court's adopted safe harbors as articulated in Rev. Rul. 2003-91, 2003-2 C.B. 237 to protect the attorney against constructive receipt.
- Havelet provides a variety of fixed guaranteed annuity products; backed by A, A+, A++ rated guaranteed insurance contracts as well as a product reinsured by FGL Holdings. <https://fglife.bm>
- All assets assigned to Havelet are held in the US, in segregated client accounts with Morgan Stanley or Fidelity Investments as custodian.
- All assets assigned to Havelet's fixed reinsured product are held in segregated client trust accounts with Comerica Trust as Trustee and Morgan Stanley as custodian.
- Havelet's Barbados jurisdiction is well regulated and has not been the subject of tax avoidance claims with large multi-nationals (Apple, Caterpillar) as is the case in Ireland.
- Havelet's flow of funds procedure is carefully designed to avoid constructive receipt and does not rely on shortcuts such as cash funding mechanisms to be compliant.
- Havelet's preferred partners are top tier, industry leading organizations. Morgan Stanley, a global financial services firm provides investment and custodial services and has over \$2 trillion in assets under management.

Lombard International, which is owned by The Blackstone Group, provides insurance and annuity services and has over \$80 billion in assets under administration. Blackstone Investment management has over \$367 billion in assets under management. Castle Re is a bespoke provider of private placement annuity products. FGL Holdings (Fidelity Guarantee & Life) is a highly-regarded provider of fixed annuity products and rated B++ by AM Best. Withers Bergman is an international law firm and advises on structured settlement, insurance, and various private client related issues.

- Havelet's clients have no risk of contamination from the business activities of associated Havelet companies; Havelet provides only attorney (and claimant) deferral strategies. Several assignment companies offer aggressive lending schemes via an associated company; Havelet has been advised by more than one independent law firm that such arrangements dramatically increase the risks associated with the fee deferral plan.
- Advanced estate and asset protection strategies are available in conjunction with a Havelet fee deferral.
- Havelet has no employees, offices or a place of permanent establishment in the US. This, among other things, maintains our compliance with the US and Barbados tax authorities.
- Havelet clients can customize deferral and payment terms.
- Havelet clients can receive lump sum payments and non- regular distributions.
- Havelet has no capacity constraints and no cap on large account size.
- Assignments through Havelet have more flexibility than those offered through domestic non-qualified assignment companies which are subject to IRS§ 72(u). This may be especially helpful for attorneys who are trying to defer fees on taxable damage cases.