

BIRMINGHAM

Daniel H. Markstein III

OF COUNSEL



Danny's Profile

Danny is a shareholder and member of the Firm's Estate, Trust & Business Planning, Tax, and Fiduciary, Trust & Estate Litigation practice groups. Danny earned an LL.M. from Harvard University, LL.B. from the University of Alabama, and A.B. from Washington and Lee University. He has over 45 years of experience providing clients with solutions to issues regarding their business, family, tax, and estate planning, as well as developing and implementing innovative plans to protect their business and personal interests. His skills and talents have earned numerous accolades, the most recent of which is his Band 1 ranking by Chambers and Partners in "Private Wealth Law."

Danny's list of distinguished clients includes family-owned businesses and other privately-held businesses and their owners, entrepreneurs, nonprofit and exempt organizations, corporate and individual fiduciaries, and individuals. He has first-hand experience handling complex business and tax matters unique to various industry sectors, including real estate, banking and financial, health care, manufacturing, and technology, among others.

His comprehensive knowledge spans all aspects of federal, state, and local tax laws. Unlike other lawyers, Danny does not just proclaim to have a tax background; rather, he leverages his honed tax experience with his keen knowledge of the business climate and the nuances of income, gift, and estate tax planning every day in his practice.

Areas in which Danny counsels and advises his clients include, but are not limited to, the following:

- Business, financial and estate planning;
- Concentrated stock positions, stock options, and restricted stocks;
- Wealth management;
- Charitable trusts and planned giving;
- Business succession planning and post-mortem planning;
- Business and family limited partnerships, LLCs and S corporations;

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- IRAs and qualified plans, including ESOPs;
- Planning with life insurance; and
- Ante-nuptial agreements.

Danny served to the rank of Captain with the United States Army Military Assistance Command Vietnam, and he was awarded the Bronze Star and the Purple Heart. He is Past President of the American College of Trust and Estate Counsel (ACTEC), a professional association comprised of approximately 2,600 lawyers throughout the United States, Canada and other jurisdictions around the world selected as Fellows based on their reputation and skills in the areas of trusts and estates and their contributions to these areas through lecturing, writing, and teaching. Recently, he was asked by ACTEC to Chair a task force to analyze and comment on the newly-proposed regulations under Section 2704. He is also a Fellow of the American College of Tax Counsel and former Trustee of the American Institute on Federal Taxation. Danny has numerous published works, and he is a frequent lecturer at tax and estate planning conferences throughout the country.

Danny's Awards

- Chambers and Partners HNW Guide: The World's Leading High Net-Worth Advisors, Band 1 Leading Individual for "Private Wealth Law" (2017-present)
- The Best Lawyers in America® for Corporate Law, Litigation and Controversy: Tax, Litigation: Trusts and Estates, Mergers & Acquisitions Law, Securities/Capital Markets Law, Tax Law, Trusts and Estates (1983-present)
- Mid-South Super Lawyers for Estate & Probate (2008-2017)
- Birmingham Business Journal's Best of Bar 2006 in Tax
- Martindale-Hubbell AV® Preeminent Rating
- Birmingham Business Journal "Veterans of Influence" Honoree (2017)
- Birmingham Business Journal's "Best of Bar" (2021)



Danny's Affiliations and Civic Involvement

Affiliations

- Lex Mundi, former member of governing board
- American Bar Association
- American College of Trust and Estate Counsel, Past President
- American College of Tax Counsel, Fellow
- American Institute on Federal Taxation, former Trustee
- Alabama State Bar Association
- Estate Planning Council of Birmingham, former President
- University of Alabama Federal Tax Clinic, former member of governing

board

Civic Involvement

- Birmingham Symphony Orchestra, former member of governing board
- Eye Foundation, Inc., former member of governing board
- International Retinal Research Foundation, former member of governing board
- Legal Aid Society of Birmingham, former member of governing board
- Leadership Alabama

Bar Admissions

State Bar: Alabama

Education

- Harvard Law School
 - (1969, LL.M.)
- University of Alabama School of Law
 - (1966, LL.B., Alabama Law Review, Editor-in-Chief; Omicron Delta Kappa)
- Washington and Lee University
 - (1963, A.B., Phi Beta Kappa)