

## **Jim Marty, CPA/ABV, MS**

*Curriculum Vitae*

12/07/2011

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### **Accreditations:**

CFF        *Certified in Financial Forensics* credential approved August 2008  
ABV        *Accredited in Business Valuation* designation received February 2005

### **Education:**

1989        Masters of Science in the Taxation Program, University of Colorado, Boulder  
1983        Certified Public Accountant – State of Colorado  
1979        Bachelor of Business Administration, University of Massachusetts

### **Professional Experience:**

Worked full time in the accounting and auditing profession since 1979. Jim was initially employed by the Boston office of *Alexander Grant and Company*, now known as *Grant Thornton, LLP* a national accounting firm, working on audits of several manufacturers.

While working for a local CPA firm in Boston, Jim gained considerable knowledge of the administration of a CPA practice as well as practical small and medium size business accounting and tax experience.

After leaving the Boston area Jim worked as an internal auditor for a large life insurance company in Denver. He was employed there until leaving to start his own private CPA practice in early 1984.

*Jim Marty and Company* was founded in 1984 and serves the Longmont, Colorado area. With the addition of Scott Lyle as a partner, the firm changed to *Marty and Lyle, LLC* in 1998. *Marty, Lyle and Doty, LLC* resulted from the 2000 merger with Boulder based *RG Doty and Associates*. The firm had expanded to two locations, Boulder and Longmont, Colorado, and employed a staff of 20. The firm name, *Marty, Lyle, Doty and Jones, LLC* evolved with the addition of Bill Jones as partner in 2003.

Position held at *Marty, Lyle, Doty and Jones, LLC, (MLDJ)* was partner in charge of the tax department, complex tax and estate planning work for closely held businesses and high net worth individuals and business valuations. Spring of 2007 Jim left *MLDJ* to form *Jim Marty and Associates*,

*LLC. (JMA)*. With a staff of 8, Jim continues to head a firm that offers full service accounting work including business valuation and expert witness expertise.

**Professional Conferences:**

- 2010 National Business Valuation Conference on November 7-9 in Washington, DC hosted by the AICPA *American Institute of Certified Public Accountants*
- 2009 National Expert Witness Conference on June 25-26 in Hyannis, Cape Cod, Massachusetts hosted by SEAK.
- 2008 National Business Valuation Conference on November 10-11 in Las Vegas, Nevada hosted by the AICPA *American Institute of Certified Public Accountants* and the ASA *American Society of Appraisers*.
- 2007 Business Valuation Symposium on June 20-23 in Denver, Colorado hosted by the *Institute of Business Appraisers*.
- 2006 Business Valuation seminars on *The Market Approach, Discounts and Premiums and The Income Approach and Cost Capital* held on August 22-23 in Denver, Colorado hosted by the CSCPA *Colorado Society of Certified Public Accountants*.
- 2005 Business Valuation Conference on November 13-15 in Las Vegas, Nevada hosted by the AICPA *American Institute of Certified Public Accountants* and the ASA *American Society of Appraisers*.

**Expert Testimony:**

Jim has qualified as an expert witness in the following jurisdictions:

- Eagle County, CO District Court May, 2011
- US District Court – San Diego, CA – June 2009
- Jefferson County – March 2009
- Larimer County Court – June 2008
- Boulder District Court - May 2008, February 2006, September 2005, December 2002
- Denver District Court - July 2005

**Court Cases: 2011-2003**

<u>Date</u>	<u>Firm/Attorney</u>	<u>Individual/Entity &amp; Case Data where testimony/ deposition given</u>	<u>Type of engagement</u>
2011	The Overton Law Firm Thomas J. Overton	Rudisill, Gardner and Zeman, PC and John Rudisill v Gardner & Zeman, PC, M Kenneth Gardner and Jay L. Gardner	Expert Witness Arbitration
2011	Worrell, Durrett & Jaynes Robert Gravrell	Roaring Fork Building Specialties, LTD v William Heiss, Grabill, Inc. Eagle County District Court Case #09CV316	Expert Witness Testimony Income Tax Issues
2010	Shively, Holst & Dowling Carol J. Shively	Myers v. Myers 20 <sup>th</sup> Judicial District Court Colorado Case# 09 DR 621	Separation and Property Settlement Mediation
2010	Law Office of Rickey Fitzsimmons Rickey Fitzsimmons Mills & Weitzenkorn, PC Denise Mills	Gregory v. Hamill Denver County Case #10DR-37	Expert Witness Business Valuation Report Joint Expert
2010	Jorgensen, Motycka & Lewis, PC Todd Brownell	Long v. Koontz Weld County Case#09DR-1276	Expert Witness Business Valuation Report
2009	Seltzer, Caplan, McMahon & Vitek Patrick Hall	USA v. Lovin/Aronson US District Court, CA Case#07CR-2016-IEG	Criminal Case Forensic Accounting Income Tax Issues Testimony
2009	Sanderson Law, PC David Sanderson	Gersper v. Gersper Jefferson County Case #07 DR 2886	Expert Witness Testimony
2008	Flanders, Elsberg & Dunn Scott Dunn	Saddleback Golf Club, LLC Jeff Wikre and Troy Weidner v. Vern Hamilton and Thomas O'Malley Weld County Case Number 2007CV365	Forensic Accounting Rebuttal Report
2008	Rice Law Office, PC Jennifer Rice	Hein v. Hein Larimer County Court Case#07 DR 1154	Expert Witness Testimony
2008	Law Office Richard P Myers Jonathan S. Robbins	Rippon v. General Parts, Inc. Teller County Court Case#07 CV 320	Economic Damages Report

2008	St. Clair & Greschler Ira Greschler	Shumar v. Shumar Boulder County Court Case#07 DR 1146	Expert Witness Testimony
2007	LaBuda & Associates Judy LaBuda	Sandoval v. Sandoval Boulder County Court Case#06DR836	Expert Witness Testimony
2005	LaBuda & Associates Judy LaBuda	Miller v. Miller Boulder County Court Case#2005DR206	Expert Witness Testimony
2005	Sampson Papis & Marsh Richard Marsh	SE Corridor Constructors v. Robley Winfrey II & Andrew Winfrey Denver District Court Case#03CV8293	Expert Witness Testimony
2003	St. Clair & Greschler Ira Greschler	Dooney v. Connell Boulder County Court	Business Valuation Testimony

### **Business Valuation, Financial & Industry Analysis, and Damages Quantification:**

In the area of business valuation, Jim holds the “*Accredited in Business Valuation*” (ABV) designation, awarded by the American Institute of Certified Public Accountants. He has provided valuation, analysis and expert witness services relating to businesses in the following industries and service areas:

Alternative Energy	Freight Forwarding	Recreational Vehicle Dealership
Alternative Medicine	Future Personal Income	Rental Real Estate
Auto Collision Repair Shop	Golf Courses	Residential Real Estate
Auto Dealerships	Home Building	Restaurants
Aviation	Horseback Riding Stables	Retail
Commercial Printing	Intellectual Property	Retirement Benefits
Commission Sales	Law	Security Systems Designs
Compensation Analysis	Medical Devices	Software Development
Concrete Contracting	Medical Practice	Structural Concrete
CPA Firm	Modular Home Manufacturer	Surveying
Credit/Collections	National Park Concessionaire	Trade Association
Dairy Farm	Oil and Gas	Utility Trailer Dealer
Daycare Operations	Optometrist Practice	Veterinary Practice
Durable Medical Equipment (DME)	Over the Road Trucking	Wastewater Pumps
Engineering	Pension Benefits	
Family Limited Partnerships	Photocopier Distributing	

FASB 141-Valuation of Intangible Assets  
 FASB 142-Goodwill Impairment

**Presentations:**

<u>Type</u>	<u>Date/Location</u>	<u>Event</u>	<u>Topic</u>
Instructor	12/2011-Denver, CO	CSCPAS CPE	End of Year Accounting and Tax Update
Presenter	11/2011-Denver, CO	AICPA Small Firm Network	CPA Firm Transition Issues
Guest Speaker	6/2011-San Francisco CA	Marijuana Conference	Income Tax Laws Related to Medical Marijuana
Guest Speaker	4/2010-Vienna, Austria	Annual Meeting of International Freight Forwarders	Business Valuation Issues for International Businesses
Presenter	2/2010-Denver, CO	CLE for Colorado Bar Association	Income Tax Issues with Medical Marijuana in Colorado
Presenter	7/2009-Longmont, CO KRCN AM1060	“Experts Unplugged” Radio Show	Business Valuation for Small Business Owners
Instructor	6/2009-Denver, CO	AICPA Small Firm Network	Delegation Skills
Instructor	6/2009-Chicago, IL	AICPA Small Firm Network	Security Related to Electronic Data
Instructor	Spring/2009 CU Boulder Campus Leeds School of Business	Taught graduate level accounting course	Financial Analysis and Valuation
Instructor	5/2008-Boulder, CO	CSCPAS May Meeting	Statement on Standards for Valuation Services
Instructor	5/2008-Grand Bahama, Bahamas	AICPA Small Firm Spring Meeting	CPA Firm Mergers & Acquisitions
Guest Speaker	9/2005-Milan, Italy	Annual Meeting of International Freight Forwarders	Understanding Financial Statements

**Publications:**

- 2011 Editorial in the May 21<sup>st</sup> *Longmont Times-Call*
- A case for keeping medical marijuana centers
- 2007 Article in Volume 25 issue 27 January in *The Boulder County Business Report*
- Baby-Boomer Entrepreneurs Need Exit Strategy
- 2004-05 Author of monthly articles that have been published in the *Longmont Daily Times Call* newspaper. Each article has dealt with tax, accounting or business valuation issues.
- Taxpayer Benefit with Changes to Sale or Exchanges of Personal Residence Rules
  - Who Needs to File a Tax Return Anyway?
  - Now is the Time to Increase the Value of Your Business
  - Which Parents can Claim the Children as Dependents when the Parents are Divorced?
  - What is the Earned Income Credit and Who Qualifies to get it?
  - New Overtime Rules Start this Month
  - Year End Tax Planning and the New Tax Laws
  - Year End Tax Savings Strategies and Other Tax Changes for 2005
  - So You Want to Start Your Own Business?
  - Having a Plan is the First Step When Planning Your Financial Future
  - Who Wants to Retire a Millionaire?
  - What is the Alternative Minimum Tax?

**Professional Affiliations:**

Member of AICPA (*American Institute of Certified Public Accountants*)  
Member of CSCPAS (*Colorado Society of CPAs*)  
Member of *Boulder County Estate Planning Council*  
Founding Member AICPA *Business Valuation Networking Group*

**Civic Involvement:**

Active member and past president (1999-2000) of the *Longmont Twin Peaks Rotary Club*; board member (1999-2005) *Longmont Area Chamber of Commerce*; past member of the *City of Longmont Planning and Zoning Commission*; board member of the *Boulder County Business Hall of Fame* (2005-2007)