



The L³C - New Opportunities for Community Foundations

A Unique Pre COF Conference Event that will explain what the L³C is and how Community Foundations can take advantage of this new tool in their toolbox. The L³C (Low-profit Limited Liability Company) is a hot topic in the nonprofit sector that may change the way many socially beneficial services are delivered. It may represent a whole new paradigm in private public partnerships. For the Community Foundations it offers new ways to organize multiple stakeholder entities.

The creator of the L³C, Robert Lang, calls it the “for profit with the nonprofit soul.” It operates in the space between the nonprofit and the pure for profit organization to perform a social mission. A type of LLC, the L³C (Low-Profit Limited Liability Company), is able to bring together a mix of foundations, trusts, endowments, pension plans, individuals, corporations, governmental entities and others in order to achieve social objectives while operating according to for-profit metrics. Just like any LLC, an L³C has the liability protection of a corporation and the flexibility of a partnership. It is uniquely designed to use Program Related Investments and utilize Donor Advised Funds.

For the Community Foundation the L³C opens the door to whole new ways to solve problems and create opportunities in their communities while tapping into a wide variety of funding sources. L³Cs are on the books in nine states and two Indian Tribes and fully legal for organization and use in all 50 states and US territories. Many are being used by US groups to work overseas.

On September 18, 2011 COF will collaborate with Americans for Community Development to present a 6 hour preconference event at the 2011 Fall Conference for Community Foundations in San Francisco with distinguished presenters all of whom are L³C experts. A box lunch will be served and is included in the cost of the event. Whatever you may know or have been told about the L³C you will still come away saying it is one of the best COF sessions you have ever attended.



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THE PRESENTERS

Sanders Davies - Senior Partner at PKF O'Connor Davies, LLP. Sanders Davies has over thirty-five years experience providing professional accounting, tax and consulting advice to clients in both the business and not-for-profit communities. As the interest in social investing and social entrepreneurship has increased, Sandy has worked with his clients to navigate the complex compliance and business issues arising at the intersection of the commercial and charitable worlds. He has consulted to clients and spoken on the subject of the new L³C vehicle. Sandy's firm, O'Connor Davies, is a mid-sized CPA firm headquartered in the New York tri-state area serving a diverse range of clients, both locally and nationally, in the for profit and not-for-profit sectors. Sandy chairs the Accounting Working Group of Americans For Community Development.

Ericka Harney - Ericka Harney, CFRE, GPC, CVA, Assistant Director of Development, The Council of State Governments has worked in the nonprofit sector as a professional and volunteer for over 10 years. The Council of State Governments is a nonprofit forecasting policy trends for the states on a national and regional basis to all three branches of state governments. She is the owner of Cause Head Consulting (causeheadconsulting.com), offering services in nonprofit management, grant proposals and fund raising. Ericka is Graduate Adjunct Faculty at Thomas Edison State College, John S. Watson School of Public Service and Continuing Studies. She has served as a federal grant peer reviewer for the U. S. Department of Health and Human Services and the Corporation for National and Community Service. She serves on the Governing Board for the Grant Professionals Certification Institute and the peer review committee of the Council for Certification in Volunteer Administration. She is a peer reviewer for The Foundation Review. Her service and leadership as the President of God's Closet, Inc. has led to the creation of a social enterprise, providing employment to women in drug and alcohol recovery through The Purple Lunchbox, a local catering business (thepurplelunchbox.com). Ericka Chairs the L³C & Public Policy Working Group of Americans For Community Development.

Robert Lang, Panel Moderator - Creator of the L³C and founder of Americans for Community Development. He is also CEO of L³C Advisors L³C, and CEO of the Mary Elizabeth & Gordon B. Mannweiler Foundation, Inc. He is an active board member of Naumburg Orchestral Concerts, which presents free classical music concerts at the Naumburg Bandshell in Central Park in New York City. He is also on the Advisory Board of Mission Center L³C and the Advisory Board of Highland Farms. He is a cosmetic chemist and consultant in the cosmetic field, and as owner and CEO of Fabrique Cosmetique, Inc., he designed and developed cosmetic systems and machinery. He is a member of the American Chemical Society, the National Association of Watch & Clock Collectors, and involved in other nonprofit work. He lectures frequently, participates in seminars and on panels worldwide. He is frequently consulted on issues related to saving newspapers in the US, written many white papers and been published in trade publications, popular magazines, on the web and newspapers.

Elizabeth Carrott Minnigh - Elizabeth Carrott Minnigh is a tax attorney in the Washington, DC office of Buchanan Ingersoll & Rooney PC specializing in non-profit organizations, hybrid organizations, estate planning, family-owned businesses and business succession planning. She serves as co-chair of the firm's non-profit organizations group. She represents L³C Advisors, L³C and Americans for Community Development and currently writes the state L³C legislation. Additionally, Elizabeth has prepared a proposal for the Philanthropic Facilitation Act, a federal bill to make funding L³Cs with PRLs simpler. Elizabeth has also represented art collectors in drafting sale and loan documents and making charitable donations and bequests. She is a Board Member of Naumburg Orchestral Concerts in NYC. Elizabeth is a graduate of Kenyon College where she was a studio art and history major. She is a frequent lecturer on topics relating to the L³C, non-profit organizations and estate planning and a regular contributor to BNA/Tax Management. She is also a member of the Washington, DC Estate Planning Council and

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the ABA Tax Section and Real Property, Trust, and Estate Law Section. Elizabeth chairs the Arts Working Group of Americans for Community Development.

Michael Moreland - Michael Moreland is founder and managing director of SEEDR L³C, an R&D organization dedicated to global health, infrastructure, and financial innovation. With SEEDR Michael manages partnerships with the US Centers for Disease Control & Prevention (CDC) and the Tennenbaum Institute at Georgia Tech, and directs a Gates Foundation-funded initiative to develop a new generation of equipment for the transport of vaccine and specimen in immunization and disease surveillance programs across the developing world. Michael has presented SEEDR's work at the World Health Organization (WHO) in Geneva, Switzerland and several conferences including the 2010 TechNet Conference in Malaysia. Michael formerly directed a technology consulting firm where he worked with public, private, and civil society organizations on strategic technology transfer and social enterprise development, prior to which he worked in community investment at the Federal Home Loan Bank of Atlanta. Michael received a B.S. in International Affairs & Public Policy with Highest Honor from the Georgia Institute of Technology.

Roxanne Phen - Roxanne Phen is a Human Capital Analyst with Deloitte Consulting, LLP in San Francisco. She is a founding member of the Deloitte San Francisco Volunteer Council. Roxanne graduated from Claremont McKenna College in 2010 where she wrote a year-long senior thesis on the L³C. She has experience in nonprofit consulting with the Claremont-based SOURCE group and worked closely with a Claremont nonprofit, Uncommon Good, assisting with their grant writing and volunteer recruitment efforts. She is the author of a paper which is recommended reading for all attendees of the session - *The Future of Philanthropy*. This paper can be found at: <http://americansforcommunitydevelopment.org/publications.php>

John Tyler - Secretary and General Counsel, Ewing Marion Kauffman Foundation. As the Foundation's general counsel, secretary, and chief ethics officer, John Tyler manages all legal aspects of the Foundation's operations, including governance, intellectual property, employment, investments, and compliance with applicable state and federal regulations. John is a frequent presenter on such diverse topics as nonprofit governance, private foundations, intellectual property, and advancing university innovation for national organizations such as the Philanthropy Roundtable, Association of Small Foundations, the Council on Foundations, the American Bar Association Committee on Taxation, the Max Planck Institute, Indian Institute of Science, and Howard Hughes Medical Institute. Tyler has authored or coauthored numerous scholarly articles published in law reviews and legal journals, such as a recent article on advancing university innovation in the University of Minnesota Law School's Journal of Law, Science and Technology. He is also a co-author of the monograph *How Public is Private Philanthropy? Separating Reality from Myth* (Philanthropy Roundtable 2009). John continues to serve in nonprofit leadership roles, including the Alliance for Charitable Reform, The Philanthropic Collaborative, Kauffman Innovation Network, Inc., Urban Entrepreneur Partnership, Inc., UEP Gulf Coast, Inc., and Kauffman Scholars, Inc. John has served as a member of the Advisory Board to NYU Law School's National Center on Philanthropy and the Law. He also Chairs the Foundations & PRIs Working Group of Americans For Community Development.

Robert Wexler - Rob Wexler is a Principal with the San Francisco law firm of Adler & Colvin, a firm that specializes in the representation of nonprofit organizations and their donors, with an emphasis on tax and corporate matters. His practice focuses on private foundation grant making, program related investments, representing social enterprises, and unrelated business income tax issues, in addition to the full range of other issues affecting public charities and private foundations. He received his undergraduate degree, magna cum laude, Phi Beta Kappa, from Brown University in 1982. He received his law degree from Columbia University in 1985. Rob is a Lecturer

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in Law at Stanford Law School, where he teaches the Law of Nonprofit Organizations. He is an Advisory Board member of NYU's National Center for Law and Philanthropy. He is currently a member of the Board of Directors of Benetec. Rob is a contributing author to CEB's text *Advising California Nonprofit Corporations*. His most recently published articles include: ***“Effective Social Enterprise – a Menu of Legal Structures,”*** *Exempt Organization Tax Review* (June, 2009) and ***“Social Enterprise – a Legal Context”*** *Exempt Organizations Tax Review* (December, 2006). Robert is a member of the American Bar Association, and an active participant of the Tax Section's Exempt Organization Committee, where he currently serves as the Vice-Chair Law Development for the Committee.

REGISTRATION

To register for The L3C: New Opportunities for Community Foundations pre-conference session, go to: <http://www.cof.org/events/conferences/2011fall/register.cfm> The cost to attend this session is \$59 for COF members and \$109 for non-members. You may register for this event without registering for the rest of the conference.

Registration forms received without payment cannot be processed. For questions about registration, please contact COF 2011 Fall Conference for Community Foundations registration at confreg@cof.org or 703-879-0750. Americans for Community Development members who are not members of COF may register at Member rate but must call 914-248-8443 to do so.

The logo for the Council on Foundations 2011 Fall Conference. It features the word "STEPS" in a large, bold, white sans-serif font. The letter "E" is replaced by a graphic of three stacked, slightly offset rectangular blocks in shades of green and yellow.

COUNCIL ON FOUNDATIONS
2011 FALL CONFERENCE FOR COMMUNITY FOUNDATIONS
SEPTEMBER 19-21 | SAN FRANCISCO MARRIOTT MARQUIS