

## CURRICULUM VITAE

**David H. Colby, J.D.**

### **BUSINESS/LEGAL EXPERIENCE:**

1988 to Present

**David H. Colby, P.C.; The Law Offices of David H. Colby; Colby&Thornes, PLLC.** In the last approximate 18 years Mr. Colby has focused his legal practice primarily in the area of business advice and planning, business income and succession tax planning, complex estate tax planning, marital exemption planning, QTIP planning, GST tax planning, IRA distribution planning (including complex IRA distribution planning within QTIP planning), charitable giving planning; prenuptial planning and specialized asset protection/complex estate gifting planning techniques employed through the use of family limited partnerships, family LLCs and irrevocable trusts. In addition, Mr. Colby's practice has focused on buy/sell agreements; split dollar insurance agreements, and creating and maintaining custom-designed employer-sponsored defined benefit and defined contribution pension plans to assist small business professionals in creating tax deductible retirement plans where the contributions heavily (but legally) favor the business owner to the maximum amount allowable under law. Lastly, Mr. Colby also has advised numerous business clients on employment law issues, including proper drafting of employment agreements, and other employer-related strategies that seek maximum protection for the employer.

2004 to 2006

**The Law Offices of Keith DeGreen.** From early 2004 through October 2006, Mr. Colby was the senior estate planning attorney for the Law Offices of Keith DeGreen. The Law Offices of Keith DeGreen serviced the high net-worth clients of DeGreen Wealth Management, a money management firm that managed in excess of 600 Million Dollars to clients with a net worth of at least 3 Million Dollars and liquid assets to invest of at least 1 Million Dollars. Mr. DeGreen retired in October 2006, by selling his entire interest in DeGreen Wealth Management and closing The Law Offices of Keith DeGreen at that time.

October 2006  
to Present

**Colby&Thornes, PLLC.** After the retirement of Keith DeGreen, Mr. Colby formed Colby&Thornes, PLLC with Megan Thornes, a former estate planning attorney with The Law Offices of Keith DeGreen. Colby&Thornes practices in the area of estate planning/tax planning/business succession planning for high net worth clients.

1983-1988

**Beus, Gilbert, Wake & Morrill (presently Beus, Gilbert PLLC), Phoenix, AZ.** Mr. Colby joined Beus, Gilbert, Wake & Morrill in Phoenix, AZ, from Brown & Bain, P.A. in Phoenix, AZ after gaining valuable experience in the sophisticated trial team approach to complex civil litigation at Brown & Bain (see below). Mr. Colby made the move to Beus, Gilbert to gain extensive first-chair trial experience in complex civil litigation as well as learn sophisticated business planning strategies and techniques. In 1984, Mr. Colby accepted firm partnership status at BGW&M and moved his practice exclusively to business transactions, business planning and estate planning for national and international clients.

1980-1983

**Brown & Bain, P.A, Phoenix, AZ.** Mr. Colby sought employment with Brown & Bain, P.A. in Phoenix, AZ from O'Melveny & Myers (see below) in Los Angeles, CA, after gaining valuable experience in legal research and drafting trial court and appellate court briefs for complex civil litigation matters at O'Melveny & Myers in CA (see below). At Brown & Bain, Mr. Colby became an integral member of trial teams engaged in high-stakes multi-million dollar civil litigation regarding antitrust and intellectual property law filed mostly in federal district court in San Francisco, CA. Mr. Colby made the move from O'Melveny to gain trial/courtroom experience.

1979-1980

**O'Melveny & Myers, Los Angeles, CA.** Upon graduation from law school, Mr. Colby was hired as a junior associate attorney with the prestigious Los Angeles law firm O'Melveny & Myers, the managing partner of which, at the time of Mr. Colby's hiring, was former Secretary of State Warren Christopher. Mr. Colby performed legal research and drafting of memoranda for inclusion in trial and appellate briefs for various pieces of complex, multi-million dollar, multi-district civil litigation, filed nationwide and internationally.

Judicial Hiatus, 2001

**Judge Pro-Tempore, Gila County.** David H. Colby took an approximate two year hiatus from the practice of law, and in early 2001 was appointed Judge Pro-Tempore, in Gila County sitting in both Payson and Globe, Arizona. Mr. Colby was appointed by The Hon. Judge Robert Duber, II, Presiding Judge sitting in Globe, AZ, after an extensive Citizen Committee review and unanimous recommendation. As Judge Pro-Tempore, Mr. Colby's responsibilities in Payson included: handling all juvenile court matters through disposition; handling an adult criminal calendar from arraignments, to release condition hearings, through plea admission hearings and selected sentencings, including hearing adult probation revocation matters and issuing search warrants; handling selected civil matters, domestic relations matters, probate matters, child-support enforcement matters, and juvenile dependency matters (parental rights severance issues); as well as handling selected commitment/mental health matters, orders of protection and Payson Drug Court. Mr. Colby resigned in 2002 late to be closer to family in Scottsdale, AZ.

## **BUSINESS/FINANCE EXPERIENCE:**

1994-2000

David H. Colby has been trained in the world of money management, and has held various state and federal securities licenses related to the expertise. In 1994, David H. Colby, with three partners, in accordance with appropriate federal and state securities laws, formed Gold Financial, L.L.C., a Registered Investment Advisor firm to manage financial portfolios for high net worth clients using Modern Portfolio Theory. Various strategies were employed to diversify client portfolios (depending on the risk tolerance of the client) among stocks, bonds, currencies and precious metals in a wide range of global markets. In addition to management of client money in diversified portfolios, David Colby through the law practice of The Law offices of David H. Colby (see above), assisted high net worth clients and small business owners to effectively shelter their assets from estate taxes (through the creation of sophisticated estate planning vehicles) and from income taxes (through the creation of custom-crafted defined benefit pension plans).

1991-1994

David H. Colby, with three partners, formed Instaff International, Inc., one of the first employee leasing companies in the United States. As an employee leasing company, Instaff International provided various employee/human resource related services for small and medium sized companies (from workers' compensation insurance to health insurance, defined benefit pension plans, defined contribution benefit plans, employee payroll services, employment law issues, and other human resource related services) at levels of sophistication and at price points not otherwise available to such small and medium sized companies. Instaff International went public in 1993, and the entire company was sold in 1994 to another public company.

## Education

### Graduate Level:

Law: University of Utah College of Law  
Salt Lake City, Utah  
Juris Doctor Degree, June 1979  
Class Standing: 4 of 150 at end of first year  
Graduated in top 10% of class.

Undergraduate: California State University Long Beach,  
Long Beach, California  
B.A. Political Economics 1975  
Summa cum laude graduate

## Scholastic

### Achievements:

Member, Executive Board, Note and Development Editor, **UTAH LAW REVIEW**, 1978-1979  
Staff Writer, **UTAH LAW REVIEW**, 1977-1978

Teaching and Research Assistant for University of Utah College of Law Distinguished Professor *Emeritus*, Jefferson B. Fordham, 1978-1979

Associate Justice, Roger J. Traynor Moot Court Honors Board, University of Utah College of Law, 1978-1979

Recipient, George Sutherland Scholarship Award, University of Utah College of Law, 1976-1977, 1977-1978, 1978-1979

Judicial Clerk, intern for The Honorable D. Frank Wilkins, Utah Supreme Court, Summer 1977

Recipient, John T. Amendt award for outstanding scholastic achievement of a graduating senior, California State University Long Beach, 1975

### Publications:

Note, *Vertical Nonprice Restrictions and Antitrust Policy: Assumptions Re-examined*, 1977 **Utah Law Review** 719

*Constitutionality of Utah Death Penalty Statute*, 1977 **Utah Law Review** 421

**Bar Memberships:** Member, State Bar of Arizona since 1979;  
Member, State Bar of California since 1979.