



KURTIN PLLC
Attorneys at Law

March 15, 2020

Dear Friends and Colleagues,

On March 13, the Trump Administration issued an Emergency Declaration under the Stafford Act and National Emergencies Act respecting the Covid-19 virus crisis. State and local governments have issued their own emergency declarations and put in place crisis measures, and many other countries have issued emergency declarations as well. Here are the main things that you need to know now about the Emergency Declaration and how it affects you and your businesses:

- It is not martial law. Freedom of movement, and general Constitutional freedoms such as freedom of speech, of the press and of due process of law and equal protection of the laws are unaffected.
- Businesses, banks and the stock markets remain open. A good case can be made for threading the needle between protecting yourselves, your families and your colleagues and helping to avoid or minimize an economic downturn and damage to your own businesses, such as by working from home when possible, limiting in-person meetings, avoiding unnecessary travel, but not generally shutting down your businesses for the duration. Broadband communications tools including email, messaging, web portals, virtual deal rooms and videoconferencing have a critical role to play. While on-site business activity is limited, it is a good time to continue ongoing work to avoid having to restart from a full stop when the crisis eases. Businesses preparing to access the capital markets, or evaluating or negotiating an acquisition or joint venture, for example, have the opportunity to advance the ball now and be ready to conclude transactions quickly later.
- Travel restrictions for 30 days now include travel to and from the 26 European country open border Schengen Zone (overlapping, but not identical to, the EU), Ireland and the UK. U.S. citizens and residents will still be allowed to return from the affected countries, although flight service suspensions are making even permitted travel difficult. Cargo is not affected. While the White House announced on March 14 that some domestic travel restrictions to and from regional "hot spots" are under consideration, there would

be Constitutional implications to such measures, and voluntary actions, like airlines suspending flights, may supply a sufficient desired effect in physically isolating the hot spots. For now, domestic travel remains self-regulated.

- Federal aid of between \$40-50 billion to states and municipalities and to individuals and businesses is now available, as is state and municipal aid to individuals and businesses.
- The House of Representatives has approved an emergency relief bill that the Senate will consider and vote on Monday. The House bill, which passed with overwhelming bipartisan and White House support, includes free testing, \$1 billion in food aid, and extended sick leave benefits.
- We have all heard the advice on "social distancing," recognizing symptoms, when and when not to be tested, go to the hospital or doctor, and protecting yourselves and others. To the personal and public health measures we can all take, the Emergency Declaration will facilitate the Department of Health and Human Services waiver of Medicare, Medicaid and other regulations and supporting state and local public and private health agencies and providers.

This feels like an appropriate message for the Ides of March. As we said in our March 12 message, we are available for you and your Kurtin PLLC client portals are open. We have also implemented our own measures to share the pain and lessen your burden during the crisis. Our best wishes to you, your families and colleagues for getting through this crisis as rapidly as possible and emerging on the other side.

Owen D. Kurtin

For further information, please contact us at info@kurtinlaw.com.

The materials contained in this message and website pages, whitepapers, advisories and other items directly linked to it have been prepared for general informational purposes only and should not be construed or relied upon as legal advice or a legal opinion on any specific facts and circumstances. The publication and dissemination, including on-line, of these materials and receipt, review, response to or other use of them does not create or constitute an attorney-client relationship.

To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

These materials may contain attorney advertising. Prior results do not guarantee a similar outcome.

Copyright © Kurtin PLLC 2020. All Rights Reserved.

Kurtin PLLC | [Website](#)

