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REACH FOR THE SKY (TOP) & PICK SOME APPLES

My favorite season is just around the corner. I love fall — I love the slightly cooler weather, football season, and pumpkin-spice everything, but one of my favorite things about fall is our annual trip to Sky Top Orchard to go apple picking! Located in Flat Rock, North Carolina, Sky Top Orchard is only about two and a half hours from Lexington, South Carolina, which makes it a convenient daytrip.



When should you go apple picking? The answer is it depends. Every year, Sky Top Orchard lists their apple-ripening schedule on their website. The apple-ripening schedule lets you know which apples will be ready to be picked when you visit. With over 25 varieties of apples available at Sky Top, it is important to know when your favorites will be ready for picking. My personal favorite is Pink Lady apples, which are generally ripe around mid-October through mid-November. The added bonus of going that time of the year is that the beautiful, fall-colored leaves are in their prime. The disadvantage of mid-October is that Sky Top Orchard is also in its prime, and sometimes it gets busy. Busy does not mean the orchard is not enjoyable. We have been on busy days and still had a blast. The orchard is large, and we have never felt crowded. But, we have had to wait in lines for some of the attractions that Sky Top offers. If lines bother you, you may want to plan your trip for mid-September or early to mid-November.

What to expect? First and foremost, if you want to pick your own apples, make sure you wear comfortable shoes. Some portions of the orchard are a decent walk from the main buildings, and it is a bit hilly in some areas. You will be given a basket to carry your picked apples and a map

that shows where each variety of apple is located. From there, you are free to go pick the apples on your own. This is likely self-explanatory, but we have to remind Annabelle every year, "Don't pick more than you can carry." Those buckets get heavy fast. Once you are done picking, you carry your bucket back to the main building, where your apples are weighed and you are charged by the pound.

Maybe apples aren't your thing — that's okay. Sky Top still has plenty to do outside of apple picking. They have a petting zoo, a duck pond, cider tastings, homemade jams and jellies, beehives (where you can watch the honey being collected), hayrides, and during the fall, they offer a pumpkin patch, where you can select your own pumpkins and gourds. And, the very best thing they offer: homemade apple doughnuts! Seriously, it is worth the 2.5-hour drive just for these doughnuts. They are served hot, and they are amazing.

One of the truly great things about Sky Top is that they offer so much for families to enjoy, but admission is free. The only money you pay is for the apples you pick or the goods you purchase — like the apple doughnuts and apple butter!

I could go on and on about Sky Top. We love it and have made some wonderful memories there. If you are looking for a fun and affordable fall activity, head on up to Sky Top, and if you would like more information on Sky Top Orchard, check out their website at www.skytoporchard.com.

~ *Charity*

Letters for Anaya

HOW A GIRL WITHOUT HANDS WON A HANDWRITING CONTEST

When 7-year-old Anaya Ellick was born without hands, her family worried about her future and the adversity she would have to face as she grew up. Her parents had no clue what the world truly had in store for her.

As Anaya has grown, she has ignored her physical limitations. It doesn't matter that she doesn't have hands. She doesn't even use prosthetics. Anaya has been determined to do everything other kids do. She accepts the fact that she is different, she accepts the challenge, and she accomplishes what she sets her mind to.

In May, Anaya won a national handwriting contest. Her prize was the Nicholas Maxim Special Award for Excellence in Manuscript Penmanship. The contest, sponsored by Zaner-Bloser, is put on every year to help promote legible handwriting. Zaner-Bloser is an educational services company that focuses on handwriting and literacy. The contest began in 1991 and is open to all kids in kindergarten through the eighth grade.

Anaya's mom, Bianca Ellick, says her daughter "ties her shoes, gets dressed by herself, [and] doesn't really need any assistance to do anything." The first grader draws, colors, and writes. To write, Anaya holds her pencil between the ends of her arms. Then she stands against her desk to reach the paper. Her school principal, Tracy Cox, says Anaya has some of the best handwriting in her class.

For her handwriting, Anaya won \$1,000, along with a trophy commemorating the achievement. Her school also won a gift certificate for education resources.



Give It a Rest! Older People Need Sleep, Too

How much sleep do you get a night? There's a pervasive myth that mature adults need less sleep than young adults. Dr. Clifford Saper, a sleep researcher at Beth Israel Hospital, says that's because aging people have more *trouble* sleeping — *not* because they need less of it than younger people.

Why is this? For one, as we get older we're more likely to have medical conditions that make falling and staying asleep difficult. Restless legs syndrome, sleep apnea, snoring, menopause, and digestive issues are just a few examples — and they're all more common in middle-aged and older demographics than in young ones.

But that's not the only reason. A study published in *Brain*, Oxford University's neurology journal, found that a specific cluster of brain cells is responsible for regulating sleep. As we age, that cluster becomes less effective at doing its job. This means that, even if someone is otherwise healthy, odds are they'll still have trouble with sleep once they hit middle age. But adults of all ages still need 7 to 9 hours of sleep every night. There are a few things they can do to get it.

First, they should go to bed and get up at the same time every day. A regular sleep schedule does a lot of the brain's work, especially as it ages and has more trouble regulating sleep. Moderate exercise and a healthy diet during the day will also help a lot.

Second, it's important to treat any health issues as they arise. Sometimes we "just live with it" instead of treating medical conditions. That's a bad health decision. It's also a surefire way to disrupt sleep patterns. Doctors may also prescribe medication to induce sleep, but it's likely they'll want to treat underlying health issues and establish a sleep schedule first.

Finally, people should listen to what their body says. It's common for aging folks to feel tired earlier at night. If that's the case, they should have no qualms about heading to bed. Similarly, if a midday nap sounds good, it's healthy to take one. The body knows what it needs, and we ignore it to our detriment.



The Productivity Project

One Man's Journey to Live Better

Chris Bailey, author of "The Productivity Project: Accomplishing More by Managing Your Time, Attention, and Energy," is passionate about productivity. His book is a tribute to that passion — Bailey even calls it an obsession. But, there is more to it than obsession when wanting to become more productive. Bailey went on a mission to not only get things done, and get more out of each day, but to live a better life.

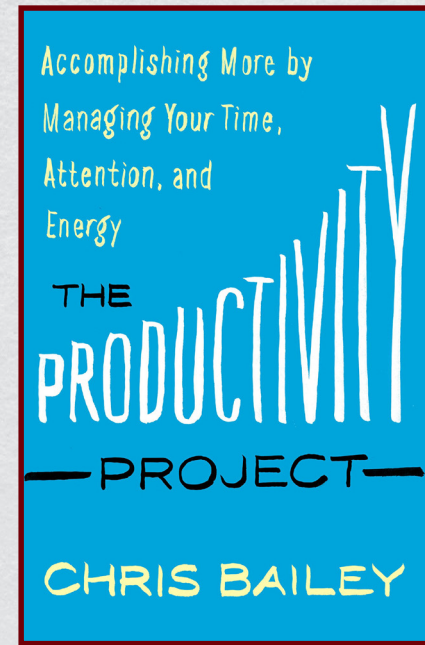
To do that, Bailey spent a year searching for ways to become more productive. He read dozens of books and journals on the subject. He spoke with productivity gurus in an effort to learn from those who have mastered the skill. He also participated in several productivity experiments, from meditation exercises to waking up at 5:30 every morning, as well as living in complete isolation. Essentially, "The Productivity Project" serves as a journal for these experiences.

Yet, the book is much more. Bailey also takes the time to examine modern misconceptions, and how some people and businesses may have framed the idea of productivity with an antiquated mindset. Through Bailey's own research, he offers plenty of solutions, and more.

The "more" part comes in the form of challenges. Many of the chapters include a challenge, or exercise, to get you going. The book becomes an interactive experience if you are willing to take the time to do each challenge, or the challenges you feel you will get the most out of — though Bailey feels each challenge itself is worth it. If you're not sure how much time you have to devote to a challenge, that's okay. Each activity lists a time requirement. You can come back to a challenge when

you do have time. Bailey even summarizes the challenges by giving you an idea of what you'll get out of it.

In the end, "The Productivity Project" provides an insightful read while leaving you with practical exercises and ideas you can apply to your work or home life. You can take them or leave them; it's up to you, but you will get out what you put in. If you have been looking for a way to master your own productivity — and to get more out of every single day — this book is a great place to start.



The Difficult Conversation: Do I Need a Prenuptial Agreement?

Often prenuptial agreements get a bad reputation. I have had friends and clients say that they do not want to even discuss prenuptial agreements because they feel that signing a prenuptial agreement is "betting on the relationship to fail." As estate planning attorneys, we don't handle divorces and don't want to handle divorces. Still, we often recommend prenuptial agreements, not because we are concerned about the possibility of divorce, but because we are concerned about the certainty of death.

Many people believe that having a will that leaves everything to their kids should be fine, even if they get remarried. Unfortunately, nothing could be further from the truth. There are two laws that individuals in South Carolina need to know about if they are considering or have recently entered into a second marriage — the first is the Omitted Spouse Law.

What is the Omitted Spouse Law? The Omitted Spouse Law says if you had a will that predated your marriage — for example, you signed a will in 2005, then got married in 2007 — and you never updated your will, then the law assumes that it was an oversight. To protect spouses from being unintentionally left out of a will, our state legislature created the Omitted Spouse Law. The Omitted Spouse Law assumes that the spouse who died would have updated their will after their marriage if they had thought about it. Since the spouse did not update their will, the Omitted Spouse Law gives the surviving spouse the same share of the deceased spouse's estate as they would have received had they never made a will, which is 50 percent. Maybe in some circumstances it really is an oversight, but we have found that it was often actually a misinformed person who believed they did not need to update their will or sign a prenuptial agreement because their current will, that left everything to their kids, was still perfect. In this instance, poor planning caused their kids to lose 50 percent of their estate.

The second law is the Elective Share Law. This one is even trickier than the Omitted Spouse Law. Basically, the "Elective Share" says that you cannot disinherit your spouse, unless you have a valid prenuptial or ante-nuptial agreement. Using the same example as above, where a person signs a will in 2005 and gets married in 2007, but where the person then updates their will in 2008 **after their marriage**, but still leaves everything to their kids, does that solve the problem? Well, the surviving spouse cannot claim "omitted" status, because the updated will was signed after the marriage. But, the surviving spouse can claim an "elective share," which says the surviving spouse is entitled to one-third of the assets of the deceased spouse. The kids would still get two-thirds, but the surviving spouse would receive one-third. This means that, again, the children are getting less than their parent intended for them to. This can be especially troublesome when the main asset left behind is the house, family farm, or some other tough-to-divide asset. This can lead to forced sales and lengthy legal disputes.

Even if your new spouse promises they will never make a claim against your estate, if, for instance, they were in a nursing home when you passed away and were incapacitated, would their children feel the same way? Or would they consider asking for a third of your estate to help handle your spouse's healthcare?

The better way to handle this situation is to consider going ahead and getting a prenuptial agreement before getting married. This way, both spouses can decide at the beginning exactly what they would want the surviving spouse to receive from their estate (if anything), and you can have peace of mind knowing your kids are going to receive exactly what you meant for them to. If you or someone you know is contemplating a second (or subsequent) marriage, we encourage you to give us a call to at least discuss whether a prenuptial agreement might be a good idea for your situation.

~ Charity

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ANSWERS