



## Retirement Plans

### Our Expertise

Our retirement plan attorneys counsel public and private employers on a wide variety of retirement plan matters in the following areas:

- Design and compliance for all types of qualified and non-qualified retirement plans for both for-profit and tax-exempt employers, including:
  - 401(k) plans
  - 403(b) plans
  - 457 plans
  - Defined benefit and individual account pension plans
  - Cash balance plans
  - IRAs
  - Employee stock ownership plans (ESOPs).
- Prototype, volume submitter and other pre-approved plan documents, including review of other providers' documents and sponsorship of volume submitter documents for adoption by our clients
- Retirement plan regulatory compliance issues, including:
  - Nondiscrimination, coverage and top-heavy testing; annual addition and benefit limitations; controlled group and affiliated service group analyses
  - Bankruptcy issues
  - 401(a), 403(b) and 457(b) plan compliance issues for public sector employers (governmental plans).
- Tax consequences to employers and employees of retirement plans, including income and excise taxes for excess contributions; unrelated business taxable income; prohibited transactions; and failure to meet minimum funding standards
- Voluntary IRS and DOL compliance and correction programs applicable to qualified plan operational and document failures; reporting and disclosure failures; and breaches of fiduciary duty
- Employee benefit plan administration, including:
  - supporting clients' benefits personnel in matters involving participant communications
  - qualified domestic relations orders
  - plan investment policies and plan loan policies
  - contract negotiations with service providers
  - contributions, distributions, rollovers, terminations (including partial terminations)
  - plan self-audits.



Super Lawyers





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  - plan self-audits.
- Terminations of pension and other retirement plans, including Pension Benefit Guaranty Corporation (PBGC) and IRS filings
- ERISA reporting and disclosure, including preparation or review of annual reports, summary plan descriptions and other employee communications
- Applications for IRS determination letters and other rulings, and DOL exemptions and advisory opinions
- IRS, DOL and PBGC audits and examinations
- Employee benefit plan issues in mergers and other corporate transactions
- Multiemployer (union) plan compliance, including employer withdrawal liability issues.

**The firm's retirement plan clients include:**

- Taxable employers, both publicly traded and closely held
- Tax-exempt employers (particularly hospitals and their affiliates)
- Professional and trade associations
- Retirement plan trustees
- Retirement plan consulting firms and third party administrators
- Governmental entities
- Investment advisers
- Plan participants and beneficiaries.


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