



## **LISA A. VAN FLEET**

**Partner**

**St. Louis**

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### **BIOGRAPHY**

Lisa Van Fleet is a recognized and accomplished employee benefits and executive compensation lawyer with over 30 years' tenure with the firm. As a highly experienced practitioner, Lisa counsels clients, including public and private entities, tax-exempts and governmental organizations, on all aspects of retirement plans, welfare and fringe benefit plans and deferred and equity based compensation. She partners with clients throughout the entire lifespan of these plans, from design through termination, to obtain favorable tax treatment, facilitate compliance with complex tax and ERISA regulatory matters, obtain favorable rulings and exemptions from national offices, successfully resolve IRS and DOL audits and controversy, and implement strong governance practices to minimize fiduciary and litigation exposure.

Lisa also serves as benefits counsel on corporate transactions, conducting diligence, negotiating transaction terms and implementing strategies for integration of employee benefit plans. In

addition, she works closely with the financial products group counselling clients on complex ERISA regulatory compliance matters, including the plan asset rules, fiduciary duties, prohibited transactions and fund document review.

Partnering with clients representing a broad spectrum of industries, including health care, education, professional services, finance, manufacturing, retail and transportation, Lisa designs and implements benefit programs that are instrumental in achieving core business objectives.

Lisa is a Fellow with the American College of Employee Benefits Counsel, a frequent speaker, writer and educator on employee benefit and tax-related topics, and holds leadership positions with the American Bar Association and TE/GE Council (“Tax Exempt and Government Entity Council”). She served for many years as an adjunct professor of law at Saint Louis University School of Law teaching employee benefits courses and is recognized in Best Lawyers as being among the top employee benefit lawyers nationally.

### **Areas of Concentration:**

Qualified and nonqualified retirement plans, executive compensation, deferred compensation, equity based compensation, welfare benefit plans, compensation and benefit plans for tax-exempt organizations, multiemployer plans, plan asset vehicles, fiduciary duties, prohibited transactions, ACA, COBRA, HIPAA, FMLA and employee benefits in corporate transactions.

### **CIVIC INVOLVEMENT & HONORS**

- *The Best Lawyers in America*, Employee Benefits and Executive Compensation (2023-2024)
- Super Lawyers in Missouri & Kansas
- Super Lawyers Corporate Counsel Edition
- Who’s Who of American Women
- Who’s Who of American Lawyers
- AV Preeminent Woman Lawyer

### **PROFESSIONAL AFFILIATIONS**

- American Bar Association
- Fellow of the American College of Benefits Counsel
- Vice Chair, Deferred Compensation Section of REPTE

- Previously served as Deputy Chair, Fiduciary Section of REPTE
- American Law Institute CLE Advisory Committee
- TEGE: Tax Exempt & Government Entities (a national coalition between Benefits practitioners and government regulatory agencies)
- President, National Association of TEGE
- Chair, Gulf Coast TEGE
- Missouri Bar Association
- Bar Association of Metropolitan St. Louis - Secretary of the Employee Benefits Section
- Board of Directors JDRF Greater Missouri and Southern Illinois
- Board of Directors Voices for Children

## **ADMISSIONS**

- Illinois, 1990
- Missouri, 1989

## **EDUCATION**

Valparaiso University, J.D., 1985

Valparaiso University, B.S.W., highest distinction, 1982

## **RELATED CAPABILITIES**

- Employee Benefits & Executive Compensation
- Tax & Private Client
- Corporate
- Employment & Labor
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Real Estate
- Higher Education

- Cross-border Employment Issues
- Real Estate Tax
- Plan Design & Implementation
- Plan Administration & Fiduciary Issues
- Welfare Plans
- Interdisciplinary Privacy/HIPAA Practice
- Practice Before Government Agencies
- ERISA & Employee Benefits Litigation
- International Pensions & Benefits Practice
- Restaurants, Pubs & Clubs
- Pensions
- Share Plans & Incentives
- Executive & Deferred Compensation
- Healthcare & Life Sciences
- Tax Advice & Controversy
- Non Profit Organizations

## RESOURCES

### PUBLICATIONS

- "Top 5 401(k) Mistakes," *401(k) Advisor*, December 2018
- "The ACA Deadline is Running - Are You?" *Ingram's*, December 2012
- "Current State of Health Reform - An Ever-Changing Environment for Employers," *Ingram's*, July 2011
- "Health Reform: An Ever-Changing Environment for Employers," *Ingram's*, June 2011
- "Correcting 409A Violations," *St. Louis Bar Journal*, 2009
- "Reminder: New Federal Regulations Regarding Anti-Discrimination on the Basis of Genetic Information," *Privacy and Data Security Law Journal*, 2008
- "Designing and Administering Stock Plans under the Final Section 409A Regulations," *Pension Planning and Compliance*, September 2007
- "Employee Benefits in Mergers and Acquisitions," *The Best in Mergers and Acquisitions*, 1999
- "Employee Benefits in Mergers and Acquisitions," *The Banking Law Journal*, 1996

## SPEAKING ENGAGEMENTS

- CLE: Employee Benefits Hot Topics: COVID-19, the SECURE Act, CARES Act, and More, The Bar Association of Metropolitan St. Louis, April 2020
- "Protective Plan Governance," The Plan Sponsor University, Washington University, St. Louis MO, April 2019
- Plan Governance and Fiduciary Oversight, Private Training Program, Milwaukee, WI, April 2019
- Fiduciary Responsibilities, Private Training Program, New York, NY, June 4, 2018
- "Workplace Retirement Litigation Update and Insights," Retirement Industry Conference, Chicago, IL, April 13, 2018
- "Managing Your Fiduciary Exposure," DeMarche 2018 Defined Contribution Workshop, Kansas City, Mo., Feb. 27, 2018; Minneapolis, MN., May 3, 2018
- TEGE 2017 National Annual Meeting, February 23-24, 2017
- "Limiting Your Fiduciary Exposure," DeMarche 2017 Defined Contribution Workshop, Kansas City, MO, February 2017
- ACA Compliance, August 2017
- "Update – 2016 Legislative, Regulatory and Judicial Issues," Worldwide Employee Benefits Network, St. Louis, Mo., September 21, 2016
- "Current Developments in Retirement Plans," MOKAN Financial Conference, Overland Park, Kan., May 5, 2016
- "Retirement Plan Industry Developments," Plan Sponsor Council of America, St. Louis, Mo., April 21, 2016
- TEGE 2016 National Annual Meeting, February 26-27, 2016
- "Defined Contribution Plans: Topics & Trends," DeMarche Associates, Kansas City, Mo., January 27, 2016
- Gulf States TEGE Council Fall Meeting, Georgia State University College of Law, September 25, 2015
- "Retirement and 401(k) Plan Developments," Worldwide Employee Benefits Network (St. Louis Chapter), September 19, 2015

- “An Update on Recent Labor and Employment Law Developments Practical Pointers for Avoiding Potential Pitfalls Involving Wellness Programs,” Bryan Cave 2015 Annual Employment Law Seminar, Woodruff Arts Center, Atlanta, Ga., June 25, 2015
- “Dealing with Cybersecurity Threats & Breaches – HIPAA Privacy & Other Security Laws,” ABA Joint Committee on Employee Benefits, May 28, 2015
- “Fiduciary Obligations in the Context of a Data Breach,” ABA RPTE Fiduciary Division, April 2, 2015
- “Affordable Care Act Compliance and Developments,” Bar Association of Metropolitan St. Louis, Feb. 19, 2015
- “Affordable Care Act Compliance and Developments,” Human Resource Management Association (HRMA), St. Louis, Mo., Feb. 18, 2015
- “SCOTUS (The Other Governing Branch): Key 2014 Decisions,” Gulf States TEGE Council Fall Meeting at Georgia State University College of Law, Atlanta, Ga., Oct. 10, 2014
- “Dudenhoeffer – Its Impact on the Fiduciary Standard of Prudence,” American Bar Association RPTE Employee Benefit Plans and Other Compensation Arrangements Group, Sept. 26, 2014
- “Supreme Court Overturns DOMA (in part) – What’s Next for Employers,” Bryan Cave CLE Seminar for In-House Counsel, Kansas City, Mo., June 11, 2014
- “Benefits in a Post-DOMA World,” Arizona In-House CLE Seminar sponsored by Bryan Cave LLP, Scottsdale, Ariz., June 3, 2014
- “The Latest on the Employer Mandate, and Benefits in a Post-DOMA World,” Sponsored by Bryan Cave LLP, Phoenix, Ariz., March 12, 2014
- “Health Care and Employee Benefits Update,” Sponsored by Bryan Cave LLP, Scottsdale, Ariz., March 6, 2014
- “DOL Update on Various Issues,” Sponsored by TEGE, Feb. 27, 2014
- “Health Care Reform After the Final Play or Pay Rules,” Sponsored by Independent Purchasing Cooperative (IPC), Miami, Fla., Jan. 21, 2014
- “Sex, Drugs and Government Shutdowns,” Sponsored by Bryan Cave in Atlanta, Ga. on Jan. 31, 2014, St. Louis, Mo. on Dec. 6, 2013, and Denver, Colo. on Nov. 14, 2013
- “Recent Developments in Employee Benefits,” Sponsored by the Worldwide Employee Benefits Network, St. Louis, Mo., Sept. 17, 2013

- “Affordable Care Act Pay or Play Requirements,” Sponsored by ALI ACI (formerly ALI ABA) in New York, N.Y., May 31, 2013
- “Clarifying Recent Guidance and Alleviating the Areas of Confusion under PPACA: The Affordable Healthcare Act,” American Conference Institute (ACI) 2nd National Advanced Compliance Forum on Employee Benefit Plans, New York, N.Y., May 30-31, 2013
- “Increased IRS Scrutiny of Executive Compensation, Recent Development and Common Errors under Code Sections 409A and 162(m),” Sponsored by American Bar Association’s Section of Real Property and Trust & Estates, May 17, 2013
- “Government is Everywhere: Special Issues in Business Succession Planning,” American Bar Association 24th Annual Spring CLE Symposia, Washington, D.C., May 2-3, 2013
- “Impact of ACA on Employer Wellness Programs,” St. Louis Area Business Health Coalition Worksite Wellness Symposium, St. Louis, Mo., April 9, 2013
- “ESOPs,” Sponsored by American Bar Association’s Section of Real Property Trust & Estates Meetings in Washington, D.C., April 2013
- “Health Care Reform: What to Do in 2013?” Sponsored by Independent Purchasing Cooperative (IPC), San Diego, Calif., Feb. 11, 2013
- “Hot Topics in Executive Compensation,” Public Companies CLE, Jan. 7, 2013
- “Health Care Reform – What It Means for You,” American Council of Engineering Companies – Missouri Fall Meeting, Truman Hotel, Jefferson City, Mo., Nov. 9, 2012
- “Fiduciary Training: Limiting Liability,” Presented to clients, November 2012, October 2012
- “Health Care Reform and Year-End Benefit Plan Reviews: What’s An Employer To Do?” Presented to clients in Phoenix, Ariz., Oct. 23, 2012  
Health Care Reform Roundtable, Presented to clients in St. Louis, Mo., Sept. 21, 2012
- “Employee Benefits, Executive Compensation, Fringe Benefits, and Securities Law Update,” Sponsored by the ABA Sections of Taxation and Real Property, Trust & Estate Law, Trust & Estate Division, Boston, Mass., Sept. 14, 2012
- “Regulatory Updates Affecting ER Health Care Plans,” Presented to clients, May 17, 2012
- “ERISA 408(b)(2) Fee Disclosure Rules,” Presented to brokers, May 2012
- “Health Care Reform Update – SBCs and Other Important Developments,” Sponsored by the Bar Association of Metropolitan St. Louis, Feb. 29, 2012

- "The Unexpected Impact of Recent and Upcoming ACA Changes," Sponsored by the St. Louis Area Business HealthCare Coalition, Feb. 14, 2012
- "Qualified Plans Regulatory Updates," and "Qualified Plans Determination Letter Updates," sponsored by the American Society of Pension Professionals & Actuaries, Jan. 11, 2012
- "Retirement Plan Fee Issues," sponsored by the American Bar Association, October 2011
- "2010 Health Care Reform Act – Cost Management Alternatives," Feb. 10, 2011
- "2010 Health Care Reform Act," Sponsored by The President's Forum, St. Louis, Mo., Feb. 10, 2011
- "Grandfathered Relief Under Health Care Reform," Presented to the St. Louis Area Business Health Coalition, June 15, 2010
- "Executive Compensation: Current Issues & Trends (Planning for Tax Increases)," Missouri CLE Program, May 21, 2010
- "Health Care Reform," Presented to clients in St. Louis, Mo., May 2010
- "Health Care Reform," Presented to clients in Los Angeles, Calif., May 13, 2010
- "Health Care Reform," Presented to the St. Louis Area Business Health Coalition, April 13, 2010
- "Section 409A in a Nutshell," Sponsored by the Estate Planning Institute, St. Louis, Mo., April 2008
- "409A and Other Compelling Executive Compensation Issues," Sponsored by CBIZ Annual Tax Conference, Las Vegas, Nev., June 2008
- "Designing and Administering Stock Plans after 409A," Sponsored by the National Association of Stock Professionals, San Francisco, Calif., October 2007
- "Section 409A," Sponsored by the Bar Association of Metropolitan St. Louis, St. Louis, Mo., June 21, 2007
- "Pension Protection Act – What You Need to Know Now," Sponsored by the Bar Association of Metropolitan St. Louis, St. Louis, Mo.
- "Effective ESOP Strategies," Sponsored by The President's Forum, St. Louis, Mo., February 2007
- "Benefits for Religious Organizations," Sponsored by the Legal Resource Center for Religious Organizations, St. Louis, Mo., February 2007



- "Best Practices for Designing and Maintaining Successful Benefit Programs," The Employee Benefits Legal Leadership Conference, Sponsored by Reed Logic, 2006
- "Protecting Executive Compensation," Sponsored by the Maricopa County Arizona Bar Association, Phoenix, Ariz., 2006
- "Current Developments in Executive Compensation," Sponsored as a Forum for Public Companies, St. Louis, Mo., September 2006
- "Hedge Funds – Implications of Accepting Investments From ERISA Plans," Sponsored by Hedge Funds Regulation and Compliance, New York, N.Y., May 2006
- "Executive Compensation: New Rules – High Stakes," Sponsored by Roth Capital, Laguna Beach, Calif., February 2006
- "409A Compliance," Sponsored by the National Association of Stock Professionals, Chicago, Ill., October 2005
- "Nonqualified Deferred Compensation," Sponsored by Hedge Funds Regulation and Compliance, New York, N.Y., 2005
- "Deferred Compensation after the Jobs Act," Sponsored by the Fourth Annual Effective Hedge Fund, Tax Practices, New York, N.Y., 2005

## RELATED INSIGHTS

Insights

Nov 11, 2024

### **IRS Releases 2025 Adjusted Qualified Plan Limitations**

Awards

Aug 17, 2023

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### **Now is the Time to Review and Correct Retirement Plan Compliance: IRS Notice 2023-43**

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Jan 14, 2022

### **Covid-19 Testing Coverage Mandate Expanded**