

PRACTICE BEFORE GOVERNMENT AGENCIES

OVERVIEW

We regularly assist our clients in seeking guidance, rulings and exemptions from, and defending audits and handling controversies before, the Internal Revenue Service, the US Department of Labor, the Pension Benefit Guaranty Corporation and in federal and state courts across the country. We also work extensively with the IRS and DOL voluntary compliance programs to assist clients in mitigating the negative consequences associated with a prior failure.

Representative examples of our experience in this area include:

- Obtained a ruling from the Internal Revenue Service National Office which permitted approximately 20,000 retirees to currently deduct \$15,000 each in multi-year medical insurance pre-payments made to a medical insurance trust. The ruling afforded the retirees with an aggregate of \$300 million in current tax deductions.
- Obtained IRS Technical Advice allowing us to obtain a favorable determination letter for an employer with approximately 40,000 employees, which had implemented and operated a 401(k) plan for two years - without a plan document!
- Assisted clients with receiving favorable GUST and EGTRRA determination letters for new cash balance plans and the conversion of existing traditional defined benefit plans into cash balance plans (typical and pension equity), successfully negotiating with the Chief Actuary of the IRS to reach favorable results for our clients on backloading and whipsaw issues.
- Currently preparing an EPCRS application for an employer that sought our assistance in correcting errors affecting approximately 40 plans.
- Successfully defended the DOL's regional audit initiative denying payment of administrative expenses with plan assets, resulting in the DOL's issuance of new favorable plan expense guidance.
- Drafted and worked with members of Congress in enacting an amendment to ERISA's "controlled group" definition in order to protect the pension benefits of the employees of a major air carrier.

MEET THE TEAM



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RELATED CAPABILITIES

- ERISA & ESOP