

**Friday**

**8:30AM – 10:15AM**

**Employee Benefits Administrative Practices Update**

Presented by the Subcommittee on Self Correction, Determination Letters and Other Administrative Practices

CHAIRS/VICE CHAIR: Martha L. Hutzelman, Kruchko and Fries, McLean, VA; Joy M. Mercer, Joy M. Mercer PC, Florham Park, NJ; Lisa Tavares, Venable LLP, Washington, DC; Benjamin J. Evans, Greenebaum Doll & McDonald PLLC, Louisville, KY (*Young Lawyer Liaison*)

The subcommittee will be discussing recent developments regarding (1) the new staggered remedial amendment period system for determination letters, including interim amendment requirements and deadlines; (2) EP examination and enforcement activity and (3) EPCRS.

**Friday**

**8:30AM – 10:30AM**

**Employee Benefits Executive Compensation, Securities Law and Fringe Benefit Update**

Presented by the Subcommittees on Executive Compensation, Federal Securities Laws Issues and Fringe Benefits

CHAIRS/VICE CHAIRS: Wayne R. Luepker, Mayer Brown Rowe & Maw, Chicago, IL; Althea R. Day, Morgan Lewis & Bockius LLP, Washington, DC; Susan J. Daley, Perkins Coie, Chicago, IL; Gail W. Stewart, Baker Botts LLP, Houston, TX; Avery E. Neumark, Rosen Seymour Shapps Martin & Company, New York, NY; Adam B. Cohen, Sutherland Asbill & Brennan LLP, Washington, DC; William Hansen, McDermott Will & Emery LLP, Washington, DC (*Young Lawyer Liaison*)

The subcommittees will be discussing issues on executive compensation disclosure, application of section 409A, enforcement initiatives and other developments in executive compensation, securities law and fringe benefits area.

**Friday**

**8:30AM – 10:15AM**

**Employee Benefits Welfare Benefits Design, Funding and Regulation Update**

Presented by the Subcommittees on Welfare Plan Design and Funding, Cafeteria Plans and Reimbursement Accounts and HIPAA, COBRA & State Insurance Regulation of Welfare Plans

CHAIRS/VICE CHAIRS: Andy R. Anderson, Morgan Lewis & Bockius LLP, Chicago, IL; Alden J. Bianchi, Mintz Levin Cohn Ferris Glovsky and Popeo PC, Boston, MA; Phyllis C. Borzi, O'Donoghue & O'Donoghue, Washington, DC; Julie Burbank, Trucker Huss, San Francisco, CA; Nancy K. Campbell, Snell & Wilmer LLP, Phoenix, AZ; Mark L. Stember, Kilpatrick Stockton LLP, Washington, DC; George L. Whitfield, Warner Norcross & Judd LLP, Grand Rapids, MI

The subcommittees' discussions will include recent regulatory and legislative developments for health and welfare plans, including the application of section 409A to discriminatory health benefits and other taxable welfare benefits, the new proposed cafeteria plan regulations (if issued) and recent developments in health savings accounts and state health benefits legislation. Government guests will be invited.

**Friday**

**9:15AM – 10:15AM**

**Employee Benefits ESOP Update**

Presented by the Subcommittee on ESOPs

CHAIR/VICE CHAIR: Gregory K. Brown, Katten Muchin Rosenman LLP, Chicago, IL; W. Walden Lloyd, Callister Nebeker & McCullough PC, Salt Lake City, UT

This session will cover recent legislative changes, recent litigation and recent IRS and Department of Labor rulings and interpretations.

**Friday**

**10:15AM – 11:15AM**

**Employee Benefits Contingent Workforce Update**

Presented by the Subcommittee on Controlled Groups, Affiliated Service Group and Employee Status

CHAIRS: Peter J. Hunt, Pillsbury Winthrop Shaw Pittman LLP, New York, NY; Norman J. Misher, Roberts & Holland LLP, New York, NY; Daniel L. Morgan, Dickstein Shapiro LLP, Washington, DC

This session will review recent court decisions and regulatory developments regarding worker classification, controlled group determinations and employee benefits for contingent workers.

**Friday**

**10:15AM – 12:00PM**

**Employee Benefits Defined Contribution Plans/Electronic Plan Administration Update**

Presented by the Subcommittee on Defined Contribution Plans and Task Force on Electronic Plan Administration/Vendor Management

CHAIRS/VICE CHAIRS: Leonard S. Hirsh, Ernst & Young LLP, New York, NY; Bernard (“Brian”) F. O’Hare, Patterson Belknap Webb & Tyler LLP, New York, NY; Danny A. Martin, Jr., Shell Oil Company, Houston, TX; Gary J. Chase, Roberts & Holland LLP, New York, NY (*Young Lawyer Liaison*)

This meeting will examine the most recent regulatory activity affecting section 401(k) plans and other defined contribution plans and cover recent developments in electronic plan administration and vendor management. Topics anticipated to be covered including IRS guidance on Roth contributions, an update on section 401(k) fee disclosures rules including Department of Labor guidance, pending litigation and new legislative proposals regarding same. In addition, the subcommittee will be addressing electronic record retention rules and issues regarding the impact on plan amendments of initiating new vendor services.

**Friday**

**10:15AM – 12:00PM**

**Employee Benefits Fiduciary Responsibility and Litigation Update**

Presented by the Subcommittees on Fiduciary Responsibility/Plan Investments, Litigation and ESOPs

CHAIRS/VICE CHAIRS: Gregory K. Brown, Katten Muchin Rosenman LLP, Chicago, IL; W. Walden Lloyd, Callister Nebeker & McCullough PC, Salt Lake City, UT; Susan Katz Hoffman, Littler Mendelson PC, Philadelphia, PA; Joni L. Andrioff, Jones Day Reavis & Pogue, Chicago, IL; Andrew Oringer, Clifford Chance US LLP, New York, NY; Robert F. Pizzo, Law Offices of Robert F. Pizzo, Rochester, NY; Tiffany E. Walker, Haynes and Boone LLP, Dallas, TX (*Young Lawyer Liaison*); Lisa J. Bleier, American Bankers Association, Washington, DC (*Young Lawyer Liaison*)

The subcommittees will meet to review cases and legislative and regulatory developments of current interest.

**Friday**

**11:15AM – 12:15PM**

**Employee Benefits EEOC Issues/Military and Other Leaves Update**

Presented by the Subcommittee on EEOC Issues/FMLA, Military and Other Leaves

CHAIRS: Thomas R. Standley, Marathon Oil Company, Findlay, OH; Thomas C. Graves, Stinson Morrison Hecker LLP, Kansas City, MO

The program will focus on developments with the *Erie County* case and EEOC developments affecting benefit plans. The program will also discuss recent developments impacting individuals on military and other types of leaves.

**Friday**

**12:00PM – 1:15PM**

**Employee Benefits Defined Benefit Plans Update**

Presented by the Subcommittee on Defined Benefit Plans

CHAIRS: Elizabeth E. Drigotas, Deloitte & Touche LLP, Washington, DC; W. Scott Magargee III, Dechert LLP, Philadelphia, PA; Seth H. Tievsky, Ernst & Young LLP, Washington, DC (*Chair Emeritus*); Anne M. Meyer, Snell & Wilmer LLP, Phoenix, AZ (*Young Lawyer Liaison*)

The subcommittee will be discussing the Pension Protection Act of 2006 changes to funding, potential comments regarding proposed regulations and recent guidance on cash balance and hybrid plans and in other areas impacting defined benefit plans.

**Friday**

**12:00PM – 1:15PM**

**Employee Benefits International Update**

Presented by the Subcommittee on Foreign and International Issues

CHAIR/VICE CHAIR: Russell E. Hall, Towers Perrin, Valhalla, NY; Andrew C. Liazos, McDermott Will & Emery LLP, Boston, MA

The subcommittee will discuss the proposed changes to the US-Canada tax treaty relating to benefits and compensation (if available). They will also provide an update on the status of the IRS business plan item relating to plans that attempt to be qualified in both the US and Puerto Rico. Finally, they will discuss miscellaneous section 409A issues of an international nature.

**Friday**

**12:15PM – 1:15PM**

**Employee Benefits Corporate Counsel Forum Update**

Presented by the Employee Benefits Corporate Counsel Forum

CHAIR/VICE CHAIR: Cheryl L. Harwick, Marathon Oil Company, Findlay, OH; Vicki Dawn Blanton, JC Penney Company Inc, Plano, TX

This session will discuss items of interest to those in attendance.

**Friday**

**12:15PM – 1:15PM**

**Employee Benefits Young/New Lawyers in Employee Benefits Forum**

Presented by the Young Lawyers in Employee Benefits Forum

CHAIRS: Gary J. Chase, Roberts & Holland LLP, New York, NY; William Hansen, McDermott Will & Emery LLP, Washington, DC

The forum will review the opportunities available to young and other new lawyers to increase their understanding of, and involvement in, the Employee Benefits Committee.

**Friday**

**1:15PM – 2:30PM**

**Employee Benefits Distributions Update**

Presented by the Subcommittee on Distributions

CHAIRS/VICE CHAIR: Mark A. Bodron, Baker Botts LLP, Houston, TX; James C. Mulder, Mulder & Freedman PC, Houston, TX (*Chair Emeritus*); Linda Griffey, O'Melveny & Meyer LLP, Los Angeles, CA; Joel Horowitz, Pepper Hamilton LLP, Philadelphia, PA (*Chair Emeritus*).

The session will discuss IRS and Department of Labor regulatory developments and recent decisions regarding qualified plan distributions (including QDROs), as well as other items of interest to those in attendance.

**Friday**

**1:15PM – 2:30PM**

**Employee Benefits Government and Tax Exempt Plans Update**

Presented by the Subcommittee on Exempt Organization and Governmental Plans

CHAIRS: Amy A. Null, Wilmer Cutler Pickering Hale & Dorr LLP, Boston, MA; Michael A. Laing, Taft Stettinius & Hollister LLP, Cincinnati, OH; Robert Abramowitz, Morgan Lewis & Bockius LLP, Philadelphia, PA

Discussion with one or more government representatives on the final 403(b) plan regulations, recent guidance on 457(f) plans and other current developments/guidance in this area.

**Friday**

**1:15PM – 2:30PM**

**Employee Benefits Mergers and Acquisitions Update**

Presented by the Subcommittee on Mergers and Acquisitions

CHAIRS: Susan A. Wetzel, Haynes and Boone LLP, Dallas, TX; Christine L. Richardson, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA; Robert Miller, Calfee Halter & Griswold LLP, Cleveland, OH; Jennifer M. Wolff, Weil Gotshal & Manges LLP, New York, NY (*Young Lawyer Liaison*)

The subcommittee will be holding a combined meeting with the Plan Terminations and Transactions Subcommittee of the RPPT Employee Benefits Committee. The session will feature a discussion of recent cases relevant to mergers and acquisitions, including a discussion of *Hutchinson v. Fifth Third Bancorp*, and recent trends in representations and warranties for both stock and asset sales. In addition, a panel during the session will focus on due diligence issues to consider both during and following the section 409A transition period and various payment structures available under the final regulations in connection with a change in control.

**Friday**

**1:15PM – 2:30PM**

**Employee Benefits Pension Legislation Update**

Presented by the Subcommittee on Pension Legislation

CHAIR/VICE CHAIR: Keith Mong, Buchanan Ingersoll & Rooney PC, Washington, DC; David N. Levine, Groom Law Group Chartered, Washington, DC; James W. Thweatt III, Keating Muething & Klekamp PLL, Cincinnati, OH (*Young Lawyer Liaison*)

The subcommittee will discuss recent legislative developments, including (to the extent applicable) PPA technical corrections, \$1 million cap on deferred compensation and the expansion of covered employees under Code section 162(m).