

Friday

2:45PM – 6:00PM

Employee Benefits

Chair: Kurt Lawson, Hogan & Hartson LLP, Washington, DC

2:45pm

**Opening Remarks by the Chair.**

2:50pm

**Bailout and Beyond - Round-Table Discussion of Recent and Future Tax, Executive Compensation and Health Care Legislation.** This session will start with an in-depth review of the impact of the Emergency Economic Stabilization Act (EESA) on executive compensation for financial institutions subject to EESA, deferred compensation for certain offshore investment funds and other aspects of the legislation. Then the session will turn to a discussion of benefits related initiatives, including those dealing with individual tax, executive compensation and health care that are likely to be promoted by the new administration and the extent to which we might expect to see enactment of those proposals. *Moderator:* Eleanor Banister, King & Spalding LLP, Atlanta, GA. *Panelists:* Helen Morrison, Acting Deputy Benefits Tax Counsel, Office of Benefits Tax Counsel, Office of Tax Policy, Department of Treasury, Washington, DC; Martha N. Steinman, Dewey & LeBoeuf, New York, NY; Mark Borges, Compensia Inc, Corte Madera, CA; J. Mark Iwry, Sullivan & Cromwell, Washington, DC; Mildeen G. Worrell, Staff Director for Subcommittee on Select Revenue Measures, Committee on Ways and Means, House of Representatives, Washington, DC (invited); Chris Condeluci, Tax and Benefits Counsel, Committee on Finance, US Senate, Washington, DC (invited).

4:10pm

**In-Depth EPCRS Review.** This panel will review and discuss the updated Employee Plans Compliance Resolution System (EPCRS), found in Revenue Procedure 2008-50, which is effective January 1, 2009. The panel's review and discussion will include the new and expanded correction features under EPCRS, Appendix F, issues related to VCP submissions, and outstanding issues under EPCRS. *Moderator:* Mark Bodron, Baker Botts LLP, Houston, TX. *Panelists:* Wilbert G. Laird, Program Coordinator, Employee Plans Voluntary Compliance, IRS, Washington, DC; Timothy P. Brechtel, Jones Walker Waechter Poitevent Carrère & Denègre LLP, New Orleans, LA; Seth H. Tievsky, Ernst & Young LLP, Washington, DC.

5:30pm

**Fireside Chat.** Informal discussion with Department of Treasury and IRS representatives on topics of interest to attendees.

6:00pm

**Government Guest Reception and Cash Bar.**

Saturday

8:30AM – 12:00PM

Employee Benefits

Chair: Kurt Lawson, Hogan & Hartson LLP, Washington, DC

8:30am

**Opening Remarks by the Chair.**

8:35am

**Hot Employee Benefits Topics.** A discussion of late breaking tax and ERISA developments, including the latest guidance under the Pension Protection Act of 2006, the HEART Act and other recent enactments. *Moderator:* David Mustone, Hunton & Williams LLP, McLean, VA. *Panelists:* Robert J. Doyle, Director, Office of Regulations and Interpretations, Employee Benefits Security Administration, Department of Labor, Washington, DC (invited); W. Thomas Reeder, Benefits Tax Counsel, Department of Treasury, Washington, DC (invited); Alan Tawshunsky, Deputy Division Counsel/Deputy Associate Chief Counsel (Employee Benefits), IRS, Washington, DC (invited); Harlan Weller, Government Actuary, Department of Treasury, Washington, DC (invited).

9:30am

**Practical Lessons from Recent Litigation.** This panel will discuss the practical lessons for counselors and transactional attorneys taught by recent court decisions. The panel will focus on the implications of those court decisions for best practices in plan design and plan

administration for pension, welfare and executive compensation programs. This will include a discussion of litigation relating to beneficiary disputes, plan-specific statutes of limitation, 401(k) fee cases, deficiencies under claims and appeals processes, COBRA, age discrimination, pregnancy discrimination, severance pay and stock options. *Moderator:* John L. Utz, Utz Miller Kuhn & Eickman LLC, Overland Park, KS. *Panelists:* Gregory L. Ash, Spencer Fane Britt & Browne LLP, Overland Park, KS; Benjamin Evans, Greenbaum Doll & McDonald PLLC, Louisville, KY; Susan Katz Hoffman, Littler Mendelson PC, Philadelphia, PA; Martha L. Hutzelman, Kruchko & Fries, McLean, VA; Andrew W. Stumpff, Stevenson Keppelman Associates, Ann Arbor, MI; Roberta Casper Watson, Trenam Kemker, Tampa, FL.

**11:00am**                    **Ethics Round-Up.** *Moderator:* Bruce D. Pingree, Baker Botts LLP, Dallas, TX. *Panelists:* TBA.

**Saturday**

**2:00PM – 4:00PM**

**Section Program**

**Executive Compensation Audits: Are You Ready?** The IRS is prepared to begin audit activity on deferred compensation plan compliance with Code section 409A, as well continuing activity with respect to the \$1 million dollar deduction under Code section 162(m), the golden parachute tax under Code section 280G, and other executive issues. Are you prepared? This panel will include representatives from the IRS and corporations who have been through an executive compensation audit.

**MODERATOR:**                    Joni L. Andrioff, Deloitte Tax, Chicago, IL.

**PANELISTS:**                    TBA.

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