

Employee Benefits

When it comes to employee benefits, it's not just a balancing act between the needs of your organization and the needs of employees. You also have to navigate through constantly changing state and federal laws in order to stay in compliance and avoid the risk of fines or costly litigation. Mintz Levin's attorneys can advise you on making cost-effective decisions and help keep your organization in compliance.

We represent clients in a broad spectrum of benefits and compensation matters. Our lawyers have participated in hundreds of mergers, acquisitions, and other corporate reorganizations, advising sellers, buyers, lenders, and intermediaries on compensation and benefits issues affecting their transactions.

We are counsel to dozens of 401(k) committees, and our advice is regularly sought out on plan governance and fiduciary compliance. Our lawyers routinely assist large pension funds to engage in sophisticated investment strategies, including equity swaps and other hedging arrangements. We advise multi-employer arrangements and funded welfare trusts. We practice before the IRS, Department of Labor, and the SEC, among other regulatory agencies.

Clients We Serve

- Global corporations
- US businesses
- Trade associations
- Tax-exempt colleges, universities, and independent schools
- Hospitals and integrated health care systems
- Hedge funds
- Private equity pools
- Employee benefits consultants and brokers
- Health insurance issuers



Quick Facts

- Clients across the nation served from the firm's offices in Boston, New York, and Washington, DC
- Practice has published seven benefits-related books and hundreds of articles
- Attorneys ranked in *Best Lawyers in America* and *Super Lawyers*
- *Chambers USA*
 - Attorneys ranked nationally and in Massachusetts, New York, Washington, DC
 - Practice ranked for employee benefits in Massachusetts
- *U.S. News & World Report and Best Lawyers* "Best Law Firms"

Representative Experience

- Represented a multinational financial services firm on all manner of benefits-related issues with an emphasis on complying with the Patient Protection and Affordable Care Act, including welfare plan design, provider and vendor agreements, funding mediums, and regulatory status of plans under state insurance regulations.
- Served as counsel to a global staffing company on the US regulatory aspects of all of its worldwide stock compensation arrangements. Also advised the company on all US tax-qualified and nonqualified pension plans, welfare arrangements, and fringe benefit programs.
- Counseled a national, California-based staffing services and employment agency that provides temporary staffing and recruiting services on complying with the Patient Protection and Affordable Care Act.
- Advised a name-brand private exchange on compliance with the Patient Protection and Affordable Care Act.
- Obtained a seminal Department of Labor ruling (Ad. Op. 2005-20A) on behalf of a Dunkin' Donuts purchasing cooperative that for the first time allowed a captive insurance company to qualify as a fully insured multiple-employer welfare arrangement, thereby sidestepping regulation by multiple state insurance authorities.
- Counseled the Commonwealth of Massachusetts in connection with the historic 2006 Massachusetts health care reform law, and our lawyers have testified before the Senate Finance Committee and provided briefings to the staffs of various US House and Senate committees and subcommittees on federal health care reform.
- Counseled Caliper Life Sciences, Inc. in its 2011 sale to PerkinElmer for \$600 million.
- Advised a global mobile communications company in multiple acquisitions and dispositions.
- Assisted the owners of a biotechnology company to design and implement a tax-compliant bonus plan for their key executives in connection with a sale of the company to a strategic buyer, and assisted the executives in obtaining the owners' consent to the payments to avoid the golden parachute excise tax.

Areas of Focus

- Benefits-related aspects of mergers and acquisitions
- Deferred compensation arrangements
- ERISA fiduciary and prohibited transaction issues
- Fringe benefit plans
- Health and welfare plans
- Qualified and nonqualified retirement plans
- Health care reform
- Stock and stock-based compensation

Connect

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