

2010 ANNUAL MEETING CO-SPONSORED EMPLOYEE BENEFITS PROGRAMS

The following programs will be presented by the member sections of the Joint Committee on Employee Benefits at the 2010 Annual Meeting. The times and locations are subject to change. Programs with an asterisk require a ticket.

Friday, August 6, 2010

8:00 AM to 10:00 AM

Section of Business Law

Focus on the 990: Special Issues Relating to Governance and Compensation Reporting for Nonprofit Organizations*

Chair: Cynthia R. Rowland, Coblenz Patch Duffy & Bass, San Francisco, CA

French Room, Lobby Level

Fairmont Hotel

Tickets: \$75.00

Govt. & Judges: \$35.00

8:30 AM to 10:00 AM

Section of Taxation and General Practice, Solo and Small Firm Division

Entity Selection, Fringe Benefits and 409A Compliance for Closely Held Businesses and Professional Practices

This program will educate the non-tax lawyer on the tax and practical aspects of entity choice, adopting fringe benefit and retirement plans and 409A compliance for closely held businesses and professional practices.

Speakers: Michael S. Flintoff, Flintoff & Kline, PC, Okemos, MI;

Alson R. Martin, Lathrop & Gage LLP, Overland Park, KS;

William P. Prescott, Wickens, Herzer, Panza, Cook & Batista Co., Avon, OH

Room 2004, 2nd Floor

Moscone Center West

FREE CLE

2:00 PM to 3:30 PM

Section of Tort Trial and Insurance Practice

ERISA Survey of the Federal Circuits – A Practitioner’s Guide to Emerging Issues*

In conjunction with the publication of the 3rd Edition of the ERISA Survey of Federal Circuits, this program will address specific and timely topics in ERISA litigation. These topics will be addressed as to how they are handled in the different circuits and the impact it has on ERISA litigation.

Moderator: Brooks R. Magratten, Pierce Atwood LLP, Providence, RI

Speakers: Joshua Bachrach, Wilson Elser, East Philadelphia, PA;

Elizabeth J. Bondurant, Smith Moore Leatherwood, Atlanta, GA;

Horace W. Green, Green & Hunbert, San Francisco, CA; Eric P.

Mathisen, Ogletree, Deakins, Nash, Smoak & Stewart, PC,

Valparaiso, IN; Teresa Renaker, Lewis, Feinberg, Lee, Renaker & Jackson, PC, Oakland, CA

Room 2007, 2nd Floor

Moscone Center West

Tickets: \$75.00

Govt. & Judges: \$35.00

Saturday, August 7, 2010

8:30 AM to 10:00 AM

General Practice, Solo and Small Firm Division and the Sections of Business Law and Taxation

Taxes and Bankruptcy: Consumer and Business Issues*

This program will be split between consumer and business issues.

The consumer portion will include a discussion of the hot topics of the day including strategy for dealing with the IRS secret lien in ERISA plans.

Moderator: Marc Stern, Law Office of Marc S. Stern, Seattle, WA

Speakers: Shelly Crocker, Crocker Kuno PLLC, Seattle, WA;

Morgan King, King Financial Media, Dublin, CA; Frances Sheehy,

Law Office of Frances D. Sheehy, Coconut Creek, FL; Mark

Wallace, Stutman Treister & Glatt PC, Los Angeles, CA; and

Kenneth Weil, Law Office of Kenneth C. Weil, Seattle, WA

Room 2004, 2nd Floor

Moscone Center West

Tickets: \$75.00

Govt. & Judges: \$35.00

10:00 AM to 11:30 AM

Section of Business Law

Health Law Committee Meeting

Co-Chairs: Andres J. Gallegos, Robbins Salomon & Patt Ltd.,

Chicago, IL and Robert Rappel, Rappel Health Law Group PL,

Vero Beach, FL

Garden Room, Lobby Level

InterContinental Hopkins Hotel

10:15 AM to 11:45 AM

Section of Labor & Employment Law

Keeping Up With the Competition and Keeping the Taxman at

Bay: Employment Contracts, Severance Agreements and Sec. 409A*

The economic pressures of the last few years have raised the stakes for employers and employees as they negotiate compensation terms at the beginning and end of an employment relationship. In addition, lawyers on both sides have to be wary of violating Sec. 409A of the Internal Revenue Code, which penalizes many forms of deferred compensation with a whopping tax penalty and affects how employees' legal claims can be settled. This panel will discuss current trends in employment contracts and severance agreements and teach you how you can advocate for your clients while protecting them from tax liabilities they never anticipated.

Moderator: Erin Sweeney, Dickstein Shapiro LLP, Washington, DC

Speakers: Richard Berge, Ernst & Young LLP, San Francisco, CA;

Wendi S. Lazar, Outten & Golden LLP, New York, NY; and Joseph

M. Yaffe, Skadden, Arps, Slate, Meagher & Flom LLP, Palo Alto,

CA

Rooms 207/272/274, Mezzanine Level

West Mezzanine

Moscone Center South

Tickets: \$75.00

Govt. & Judges: \$35.00

11:00 AM to 12:00 PM

Section of Business Law

Employee Benefits and Executive Compensation Committee Meeting

Chair: Martha N. Steinman, Dewey & LeBoeuf LLP, New York, NY

**Far East Room, Mezzanine Level
Fairmont Hotel**

2:00 PM to 3:30 PM

JCEB Program

Retirement Security: Is This What's Next After Health Care Reform?

The private retirement system has gone through a number of changes over the past fifty years - moving from defined benefit "pension" plans to self-directed 401(k) plans and changing the manner in which retirement benefits are funded from basic insurance products to mutual funds and more complex investments. With health care reform a reality, retirement reform of some kind - from Social Security reform to automatic IRAs - is now on the horizon. This panel will explore the future of our private retirement system and alternatives for enhancing the security of that system, including a discussion of the stress on today's retirement system, the role of government and Social Security, the role of private employers and what alternatives are likely to enhance retirement security.

Moderator: Eleanor Banister, King & Spalding, Atlanta, GA
Panelists: Connie Hiatt, Altman & Cronin, San Francisco, CA; David N. Levine, Groom Law Group, Washington, DC; Thomas Z. Reicher, Cooley, Godward Kronish, LLP, San Francisco, CA; Christine L. Richardson, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA; and Ronald J. Triche, Trucker Huss, APC, San Francisco, CA

**Room 2014, 2nd Floor
Moscone Center West
FREE CLE**

2:30 PM to 4:30 PM

Section of Business Law

Congress and the Neutering of the Compensation Committee*

The White House and Congress are proposing a host of new interventions into the way in which corporations are being run. In the area of compensation, these proposals will essentially take from the compensation committees of boards of directors the ability to develop compensation arrangements that are appropriate for their organization. Approaches to compensation will be effectively determined by politicians - thus neutering the compensation committee. What effect will this have on governance more generally?

Co-Chairs: Carol Hansell, Davies Ward Phillips & Vineberg, Toronto ON and Charles Elson, University of Delaware, Newark, DE

Speakers: Brian J. Bartow, California State Teachers' Retirement System, West Sacramento, CA; Charles Elson, University of Delaware, Newark, DE; Ann Yerger, The Council of Institutional Investors (CII), Washington, DC

**Venetian Room, Lobby Level
Fairmont Hotel
Tickets: \$75.00
Govt. & Judges: \$35.00**

Sunday, August 8, 2010

7:30 AM to 8:30 AM

Section of Tort Trial and Insurance Practice
Employee Benefits Committee Business Meeting

**San Miguel, Theatre Level
Grand Hyatt**

10:30 AM to 12:30 PM

Section of Business Law

Is Your 401(k) Default Investment Alternative on Target: New SEC & DOL Guidance on Target Date Funds*

The program will focus on guidance issued by the SEC and DOL on target date funds as well as best practices for plan fiduciaries in choosing and monitoring target date funds.

Moderator: Beth J. Dickstein, Sidley Austin LLP, Chicago, IL
Panelists: Michael L. Davis, Deputy Assistant Secretary, EBSA, U.S. Department of Labor, Washington, DC; and Andrew Donohue, Director of the Division of Investment Management, U.S. Securities and Exchange Commission, Washington, DC; and Mark Perlow, K&L Gates LLP, San Francisco, CA

**French Room, Lobby Level
Fairmont
Tickets: \$75.00
Govt. & Judges: \$35.00**

1:00 PM to 2:00 PM

Section of Business Law

Employee Benefits, Executive Compensation Subcommittee of the Federal Regulation of Securities Committee Meeting

**Garden Room, Lobby Level
Fairmont**

2:00 PM to 3:30 PM

JCEB Program

Health Care Reform: What Employers Need to Know Now

The Patient Protection and Affordable Care Act signed into law in March significantly impacts virtually every individual and business. Effective for plan years beginning after September 23, 2010, a panel of government experts and informed practitioners will discuss recently released DOL, Treasury and HHS regulations dealing with some of the most pressing issues facing employers. This program will provide the attendees with an in-depth analysis of the key components of the Act. Learn how the Affordable Care Act and its implications relative to employee benefit design, cost and compliance are relevant to you and your clients.

Moderator: Bernard T. King, Blitman & King, Syracuse, NY
Panelists: Hon. Phyllis C. Borzi, Assistant Secretary of Labor, Employee Benefits Security Administration, U.S. Department of Labor, Washington, DC; George Bostick, Benefits Tax Counsel, Office of Benefits Tax Counsel, U.S. Department of the Treasury, Washington, DC; Julie Burbank, Trucker Huss, APC, San Francisco, CA; and Eugene M. Holmes, Proskauer, Washington, DC

**Room 2024, 2nd Floor
Moscone Center West
FREE CLE**

3:30 PM to 4:30 PM

Section of Business Law

Employee Benefits, Executive Compensation Subcommittee of the Federal Regulation of Securities Committee Meeting

Chair: Ronald O. Mueller, Gibson Dunn & Crutcher LLP, Washington, DC

**Garden Room, Lobby Level
Fairmont Hotel**

Monday, August 9, 2010

11:00 AM to 12:00 PM

Section of Business Law

ERISA and Pension Litigation Subcommittee of the Business and Corporate Litigation Committee Meeting

Co-Chairs: James Patrick Baker, Winston & Strawn LLP, San Francisco, CA and John R. Cornell, Jones Day, New York, NY
**California Room, California Street Level
InterContinental Hopkins Hotel**