



Mergers & Acquisitions

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Employers and outside advisors routinely turn to us for practical and timely Benefits & Compensation advice at all stages of corporate M&A and financing activities.

We provide particular value and proficiency in:

- Partnering with corporate counsel to identify and resolve benefit plan compliance issues that surface during a transaction.
- Advising on issues related to Retirement Plans, such as in connection with spin-offs, plan mergers, plan terminations, or scrutiny under the PBGC Early Warning Program.
- Integrating new employees' compensation and benefits programs following an acquisition or merger.
- Negotiating HR and benefits contracts in connection with a corporate transaction (see Vendor Contracting & HR Outsourcing for more information).
- Establishing "stand up" benefits platforms in advance of a spin-off, auction, or sale.

Our focus on plan administration and operations means we are exceptionally well-positioned to conduct due diligence on existing plans - and to identify and resolve issues years before they might otherwise come to light.

Recent representative matters include:

- Establishing new 401(k), health, and other welfare benefit plans in advance of sale of company division to foreign purchaser.
- Evaluating potential golden parachute liability in connection with company sale, and partnering with 280G computation consultant to prepare waivers and shareholder approval disclosures.
- Favorably resolving potential substantial withdrawal liability from multiple employer plan in connection with joint venture transition.



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- Advising on all aspects of employee matters agreement negotiation and transition of benefit plans in connection with client's buyout of joint venture partner.

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