

Employee Benefits

Lewis Roca Rothgerber Christie counsels clients in a full range of employee benefits matters. We provide employee benefits advice to many clients on an ongoing basis. Other clients utilize our employee benefits experience in conjunction with a particular project or a specific corporate transaction.

Qualified Plans

We regularly establish, amend, terminate and service pension, profit sharing, 401(k), ESOPs and other qualified retirement plans. As part of this practice, we advise clients as to the availability of various plan alternatives and counsel them with respect to plan design issues.

Our lawyers provide tax advice, address ERISA fiduciary issues and, with respect to plans that invest in employer securities, provide advice on securities law issues. We regularly interact and seek determinations and rulings from the Internal Revenue Service and other governmental agencies, including the U.S. Department of Labor, the U.S. Securities and Exchange Commission and various state regulatory agencies.

Equity Compensation Plans

We regularly design and implement equity compensation arrangements for executives and employees. These arrangements include both incentive and non-qualified stock options, restricted stock, stock appreciation rights and phantom stock arrangements, and other types of arrangements that are designed to incentivize employees and align their interests with that of the business' owners.

ERISA Litigation

In conjunction with our Litigation Department, we represent companies in litigation involving significant ERISA claims.

Distribution Planning

In connection with our Wills and Trust Group, we provide advice to individuals who have significant account balances in qualified plans, so that the account owners can receive distributions in a manner that best achieves their individual and estate planning goals, while maximizing tax efficiencies.

Bonus and Deferred Compensation Arrangements

Lewis Roca Rothgerber Christie lawyers provide advice and prepare various forms of bonus and deferred compensation arrangements. While these types of arrangements may be adopted in the normal course, frequently they are put in place to motivate employees during a particular phase of a company's

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Benefits in Mergers and Acquisitions

In conjunction with the firm's Mergers and Acquisitions practice, we provide counsel, to both buyers and sellers of businesses, regarding employee benefits aspects of merger and acquisition transactions.

This includes due diligence review of benefits programs, advice regarding employee benefit plans impact on deal structure, negotiation of terms of the acquisition agreement as it relates to benefits, and post-closing implementation of acquisition and merger agreements, including termination and merger of existing benefit plans and programs. In conjunction with our M&A practice, we provide counsel with respect to golden parachute and other tax issues and address securities law issues.

Flexible Benefits and Welfare Benefits

Our lawyers guide employers in insured and uninsured group health and other welfare benefit programs, including flexible benefit and cafeteria plans, and address COBRA and related issues.

Employment and Severance Agreements

Lewis Roca Rothgerber Christie lawyers represent both senior executives and companies in negotiating and crafting employment agreements in connection with the firm's Corporate Law Group. Issues that are typically addressed include equity compensation, fringe benefits, salary, bonus, and expense reimbursement, death and disability, change in control and termination of employment with and without cause. In conjunction with our Employment and Litigation Groups, we represent companies that are downsizing or that terminate the employment of particular executives and employees and frequently represent companies defending against various forms of discrimination claims.

Related Services

COVID-19 Rapid Response Team