Holland & Hart

Employee Benefits Symposium 2025 Agenda

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Employee Benefits Symposium

WEDNESDAY, MARCH 12, 2025

CPE AND CLE INFORMATION

3.0 CPE credits recommended in Specialized Knowledge.
3.0 CLE credits pending for Colorado, Idaho, Montana, and Utah.

AGENDA AND SPEAKER INFORMATION

8:30 - 9:00 AM | REGISTRATION AND BREAKFAST

9:00 – 9:25 AM | ERISA HEALTH PLAN LITIGATION: THE NEW FRONTIER

A discussion on emerging risks associated with employer-sponsored health plans and strategies to manage that risk.

Learning Objectives | After completing this course, the participants will understand:

- Trends in health plan litigation and the impact on plan sponsors
- Governance design and other strategies to reduce and manage health plan risk

KEVIN SELZER
Partner | Link to Bio
303.295.8094

Kevin assists employee benefit plan sponsors and service providers in navigating legal and business challenges. He counsels clients on benefit plan compliance, plan design, and risk mitigation from a sponsor and fiduciary perspective for public and private sector entities, including non-profit entities and governmental entities. Kevin also advises clients on succession planning through employee ownership, including Employee Stock Ownership Plans and Employee Ownership Trusts.

9:25 –9:50 AM | FIXING BENEFIT PLAN ERRORS: IRS AND DOL CORRECTION PROGRAMS EXPLAINED

Made a mistake with a benefit plan? There is probably a correction program for it.

Learning Objectives | After completing this course, the participants will understand:

- The available IRS correction programs for resolving retirement plan issues
- The DOL correction programs available for resolving 5500 and ERISA fiduciary issues

ALEX SMITH
Of Counsel | Link to Bio
303.295.8144

Alex assists clients with a variety of matters related to the design, maintenance, and implementation of health and welfare plans, qualified and non-qualified retirement plans, and equity compensation arrangements. Alex skillfully counsels clients on employee benefits and executive compensation issues.

9:50 – 10:00 AM | BREAK

10:00 – 10:25 AM | THERE'S NO SUCH THING AS A DUMB QUESTION: BITE-SIZED ANSWERS TO YOUR PRESSING BENEFITS QUESTIONS

Our speakers will analyze certain benefits topics and questions selected by participants from a number of submissions. These quick hitting questions will provide insight into areas you've always wondered about but have never asked.

Learning Objectives | After completing this course, the participants will understand topics potentially including:

- State law interaction with benefit plans; HIPAA; ESRP – 1095s; Beneficiary Designations + QDROs; Mental Health Parity; Equity in M&A or types of equity; or Medical Plan/Dependent Eligibility Audits

BEN GIBBONS
Partner | Link to Bio
208.383.3981

Ben counsels both for-profit and non-profit employers on a broad range of qualified retirement plans, health and welfare plans, executive compensation arrangements, and other employee benefit plans. He is adept at helping design and implement employee benefit plans that are tailored to an organization's specific needs.

10:25 - 10:50 AM | THE EVOLVING LANDSCAPE OF BENEFITS GOVERNANCE: KEY LEGAL AND POLITICAL INFLUENCES ON PLAN ADMINISTRATION

Last year, the US Supreme Court struck down the long-standing "Chevron Doctrine" that gave federal agencies, such as the DOL and IRS, broad rule-making powers. We will look at the potential impact of this case and the influence of the Trump administration on hot topics in benefits governance such as the DOL's fiduciary rule, the ACA health plan discrimination rules, the future of ESG, and more.

Learning Objectives | After completing this course, the participants will understand:

- Potential changes coming in benefit plan regulation
- How best to mitigate against the risk of lawsuits and government audits in a turbulent regulatory environment

BRET BUSACKER

Partner | Link to Bio

208.383.3922

Bret provides strategic legal counsel in matters of corporate governance and compliance, employee benefits and ERISA, restructuring, and negotiating complex business transactions. He has significant experience addressing a wide range of complex employee benefits issues for many types of businesses in a variety of industries.

10:50 - 11:00 AM | BREAK

11:00 - 11:25 AM | WHO'S THE EMPLOYER?

This is another one of those questions that seems simple but has a complicated answer in the world of benefit plans.

Learning Objectives | After completing this course, the participants will be able to understand:

- How the IRS views groups of related companies ("controlled groups")
- PEOs and other employee leasing arrangements
- How company reorganizations can change the analysis

BETH NEDROW

Partner | Link to Bio

406.896.4635

Beth has over 25 years' experience advising companies on executive compensation and employee benefits matters. She works with public and private companies, retirement and welfare plans, M&A transactions, and compliance work.

11:25 -11:50 AM | FIDUCIARY OVERSIGHT OF MANAGED ACCOUNTS

Many defined contribution plans, such as 401(k) plans, include an option for participants to invest in managed accounts, which are offered as a "customized" investment advice solution. Recent breach of fiduciary duty litigation has highlighted the need for plan fiduciaries to regularly monitor the managed account option to ensure it continues to be a prudent offering under the plan.

Learning Objectives | After completing this course, the participants will understand:

- The value proposition of types of managed accounts
- Applicable fiduciary duties and best practices for monitoring managed accounts
- An update on recent breach of fiduciary duty litigation involving managed accounts
- Plan sponsor and fiduciary steps to take for offering and reviewing managed accounts

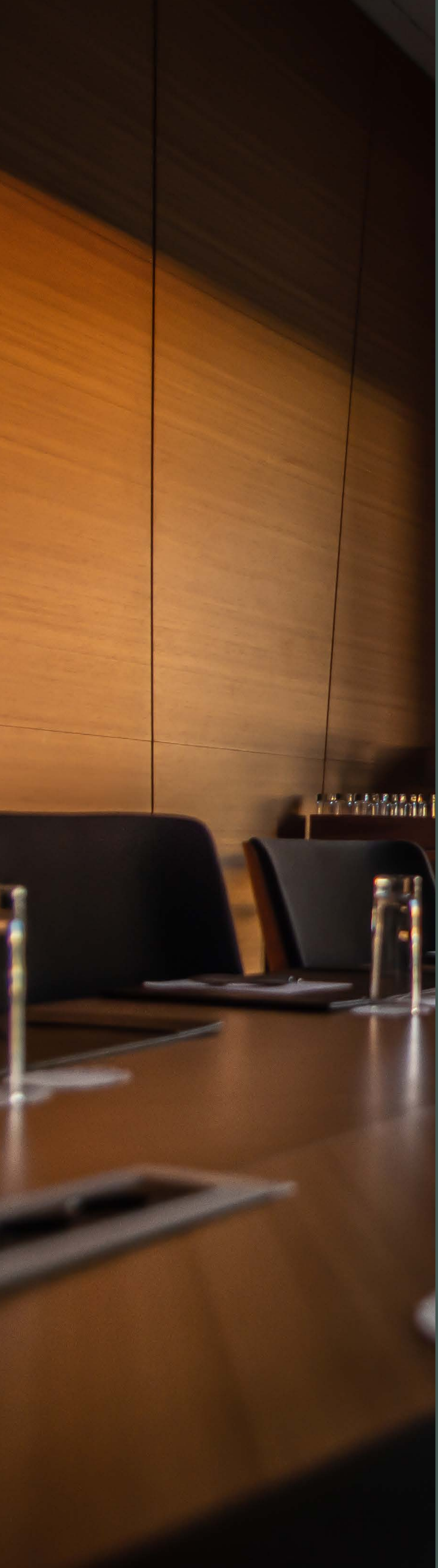
BRENDA BERG

Partner | Link to Bio

303.295.8029

Brenda provides invaluable insight to employers on a broad spectrum of tax and ERISA matters affecting employee benefit plans. She has extensive experience with qualified and nonqualified defined contribution and defined benefit pension plans, in addition to health and welfare plans.

11:50 - 12:30 PM | Q & A - BOXED LUNCHES PROVIDED



About the Firm

Throughout the Mountain West, from coast to coast and beyond, Holland & Hart provides clients with astute legal service from a vantage like no other. For more information, visit hollandhart.com.

RECOGNITION

- 105 individual and 43 practice areas (by market) ranked by *Chambers USA 2024* including Band 1 ranking in Colorado: Employee Benefits & Executive Compensation and 3 ranked Employee Benefits attorneys
- 172 lawyers and 16 "Lawyers of the Year" recognized in 2025 *The Best Lawyers in America®*, and 77 lawyers listed in 2025 *Best Lawyers: Ones to Watch® in America*
- Named the 2024 "Law Firm of the Year" for Natural Resources Law by Best Law Firms®
- Named a National Tier 1 firm for Technology Law by Best Law Firms® since 2011
- Named a National Tier 1 firm for Environmental Law, Litigation – Environmental, Technology Law, and Natural Resources Law in the 2024 edition of 2024 Best Law Firms®
- Recognized in 149 practice areas regionally and 29 practice areas nationally, including four Tier 1, by Best Law Firms® in 2024
- 59 attorneys named to the 2024 Super Lawyers or Rising Stars lists by *Mountain States Super Lawyers®*
- 42 attorneys named to the 2024 Super Lawyers or Rising Stars lists by *Colorado Super Lawyers®*
- Ranked as a top 5 Mountain West firm by Vault, 2017-2025

DIVERSITY & INCLUSION

- Mansfield Rule Certified Plus for seven consecutive years, 2018-2024
- Earned Top Score in Human Rights Campaign Foundation's Corporate Equality Index, 2020-2025
- Recognized by the Leadership Council for Legal Diversity as a Compass Award Winner (2022-2024) and Top Performer (2023, 2024)
- Chief Diversity and Inclusion Officer, Phyllis Wan recognized by Center for Legal Inclusiveness with the 2023 Inclusiveness@Work Award in the Individual category
- Recognized by Bloomberg Law's Annual Diversity, Equity, and Inclusion (DEI) Framework, 2024
- Gold Standard Certification by the Women in Law Empowerment Forum* for 13 consecutive years, 2011-2023

**program discontinued in 2023*

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