



2008 Great Lakes Benefits Conference

The Westin Michigan Avenue | Chicago, IL | April 3-4, 2008

Co-sponsored by:



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Session Descriptions

General Session 1: Washington Legislative and Regulatory Update

Brian H. Graff, Esq., APM, Martin L. Pippins, Alan Tawshunsky, Moderator: Lisa Burman, Esq.

This session will give you a behind-the-scenes look at the current legislative and regulatory process in Washington, DC, and what it means for retirement plan participants and pension professionals. You will also hear about the prospects for more pension, legislation, regulatory and other vital information.

General Session 2: IRS Examination Critical Priorities

Janice M. Gore, Leslie A. Klein, Esq., Monika A. Templeman, Esq.

A discussion about key FY 2008 EP priorities, initiatives, and programs with a focus on working together to improve efficiencies and promote compliance.

General Session 3: What's New from the DOL – Fees, Forms and Notices

Richard A. Nelson, Kristen Zarenko, Moderator: Robert Toth, Jr.

An update on recent PPA and ERISA guidance from the U.S. Department of Labor. The topics the panel will cover include disclosure requirements for administrative and investment fees and expenses (both to fiduciaries and to participants), issues relating to the QDIA regulations, benefit statements, investment advice, and the blizzard of new notices that have to be given to plan participants.

General Session 4: The Determination Letter Program, Guidance and Other Operating Priorities

Richard Hochman, Martin L. Pippins, Dennis P. Micelli, Andrew E. Zuckerman, and Moderator: Charles M. Lax, Esq.

With the "Staggered" submission cycles implemented for EGTRRA amendments and restatements, it is time to evaluate a range of document compliance issues. Cycle C will be well underway for individually designed plans, where do we stand with approvals for Cycles A and B? Practitioners utilizing pre-approved prototype and volume and volume submitter plans will be gearing up to start the process of having their clients adopt the newly approved EGTRRA documents. What additional interim amendments will the IRS be looking for? The IRS will be gearing up to start reviewing pre-approved EGTRRA DB Plans, which will contain some, but not all the required PPA language. What additional amendments might be required even before the employers start their plan adoption cycle to take into account new guidance and technical corrections? What other impacts might Rev. Proc. 2007-44 and subsequent guidance have on the way we operate and do business?

General Session 5: Who's the Employer: Aggregation Aggravation

Derrin Watson, and Moderator: Lisa Burman, Esq.



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General Session 6: To Roth or Not to Roth – That is the Question

Bruce Temkin and Moderator: Charles M. Lax, Esq.

Who are the true candidates for Roth 401(k)? In this session, Bruce will focus on the economics of the Roth 401(k) decision. In doing so he will discuss income tax, estate planning, retirement planning and investment theory – all pieces of the Roth puzzle. He will also discuss common misconceptions about the taxation of qualified plans after retirement.

Luncheon with Speaker

Joseph H. Grant, Esq., and Moderator: Janice M. Gore

Luncheon with Speaker

Bradford Campbell, US Department of Labor

Moderator: Lisa Burman, Esq.

Workshop 1: Ready, Set, Go.....Compliance Countdown for 403(b) and 457(b) Plans

Robert J. Architect, Mary Beth Braitman, Cheryl Press, Esq, Moderator: Robert Toth, Jr.

The panel will cover the final 403(b) regulations and the final 457(b) regulations. These "landmark" regulations establish the operating rules for these two types of plans, used by virtually all government entities, including schools, and many tax exempt organizations. This will be your chance to review the major structural changes and the compliance timelines for 403(b) plans, as well as review the latest issues affecting 457 deferred compensation plans.

Workshop 2: DOL Examination Issues – Preparing for a DOL Audit

Donna Seermon, Moderator: Richard A. Beddome

Donna Seermon will provide an overview of the agency's mission and enforcement activities. She will discuss how investigative subjects are selected, how audits are conducted, what types of records are typically reviewed, and finally, how identified violations may be corrected and/or resolved.

Workshop 3: Practicing as an ERPA Before the Internal Revenue Service

Charles M. Lax, Esq., Deborah K. Lohning, Stanley Oshinsky, Monika A. Templeman, Esq.,

Moderator: Janice M. Gore

A discussion of the current status of the Enrolled Retirement Plan Agent (ERPA) Project including consideration of the qualification requirements, the duties and responsibilities of a practitioner who is subject to Circular 230 and the likely dates and deadlines for implementation.

Workshop 4: Review of the Top 10 Employee Benefits Cases Since January 1, 2007

Mark Casciari, Esq., Mark DeBofsky, and Moderator: Lisa Burman, Esq.

A Perfect Storm is brewing over employee benefits as many more Americans age and retire,



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government benefit programs contract and personal savings fail to fill the ensuing income gaps. Benefits litigation, therefore, is not going away no matter how well plans are drafted. Mark DeBofsky, a plaintiff's lawyer, and Mark Casciari, a defense lawyer, will speak about the 10 key benefits cases since the beginning of 2007. Their discussion will describe the type of controversies occupying the attention of the courts, and will explain the litigation trends in this confusing area of law. You will learn that there are a number of benefits issues that are far from being resolved by the courts, and that new issues confront the courts with regularity. You will learn how benefits cases are won and lost.

Workshop 5: 401(k) Design and Implementation After PPA 2006

Richard Hochman, Marjorie Hoffman, Richard Perlin, Moderator: Janice M. Gore

Having just completed the bulk of the 2007 Plan Year 401(k) administration, other than Form 5500, it is time to look at how things will change for the current 2008 year. What is different for clients who went with automatic enrollment and for those who would opt for the "qualified arrangement"? Has the Qualified Default Investment Arrangement impacted overall plan design and communications with participants? How are we communicating with beneficiaries about their right to rollover their inheritances? Does it make sense to test deferral dollars on prior year and matching contributions on current? What are we going to do with all the time freed up from not having to do gap period calculations? The session will address the change in 401(k) administration after implementation of PPA.

Workshop 6: Multiemployer Pension Plan Funding and Withdrawal Liability- Hot Topics for Employers

Nell Hennessey, David C. Strosnider, Ralph Weinberg, Moderator: David O'Leary

PPA impacts potential withdrawal liability for employers contributing to multiemployer pension plans. This session will cover PPA changes, what withdrawal liability is, what triggers it and where to go to get information about it. Also, learn about proposed FASB treatment of potential liability and how unfunded liability might impact an employer's credit rating.

Workshop 7: EPCRS Advanced Correction Methods

Joyce I. Kahn, Esq., Katherine Kennedy, Esq., Dennis P. Miceli, Andrew E. Zuckerman

Moderator: Janice M. Gore

Professor Kennedy and Ms. Kahn, long term IRS Manager of Voluntary Compliance, will provide an update on the latest EPCRS procedural guidance and a discussion of current correction issues and examples.

Workshop 8: Defined Benefit Funding Rules after PPA/Other Defined Benefit Issues/Schedule SB Update

Brian C. Donohue, Jeffrey S. Milling, Martin L. Pippins, and Moderator: Sharon K. Mannlein

PPA provides brand new rules for meeting pension funding requirements. Changes include using a



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corporate bond yield curve to measure liabilities, mortality tables that change every year, and new rules for valuing lump sum options. In addition, there are new procedures for setting up, maintaining, and eliminating amortization bases related to underfunded liabilities. Panelists will walk through the new rules, including key decisions plans must make for 2008 and a look at the new 2008 Schedule SB

Workshop 9: 409A Problem Solving and Drafting Issues

Leslie A. Klein, Esq., Helen Morrison, Stephen B. Tackney, and Moderator: George L. Whitfield

This panel includes representatives from the IRS and the Treasury who are currently involved with the development of further guidance under Code Section 409A, as well as the former Benefits Tax Counsel at the Treasury and other expert practitioners. Assuming a basic knowledge of the final regulations, the panel will concentrate on the latest developments, including any guidance issued after the final regulations and extension of the transition period to the end of 2008, as well as details and possible future expansion of the limited correction program announced December 3. The bulk of the time will be devoted to addressing practical drafting problems and pitfalls that illustrate the broad application of Section 409A, not only to traditional deferred compensation but also to employment agreements, severance arrangements, bonus and incentive compensation programs and equity based compensation.

Workshop 10: Tips, Traps and Techniques for Successful Form 5500 Filings

Janice Wegesin and Moderator: David B. Walters

The 2007, 2008, and 2009 Form 5500's reporting and disclosure requirements, PPA's impact; late filings and special filing situations will be reviewed and discussed.