

Saul Ben-Meyer

Partner

212.210.9545

saul.ben-meyer@alston.com

New York | 90 Park Avenue, 15th Floor | New York, NY 10016-1387



Saul draws on more than 30 years of experience advising global organizations on compensation and benefits matters, including multinational transactions, qualified and nonqualified plans, and associated income and employment tax consequences, with an emphasis on cross-border matters. He counsels employers on retirement plan compliance and assists with IRS, DOL and PBGC audits and investigations.

Saul Ben-Meyer concentrates on employee benefits, executive compensation and employment-related tax matters, with an emphasis on multinational transactions and related issues. He has over 30 years of experience advising global organizations and executives on the compensation and benefits implications of multinational transactions and cross-border hiring, transfers and terminations of executives, as well as multinational executive agreements and compensation programs, including global equity-based compensation and nonqualified deferred compensation arrangements. He is co-author of "Multinational Executives," in *Executive Compensation*, published by Law Journal Press, one of the leading treatises on executive compensation.

Saul also counsels employers on retirement plan design, implementation and administration. He provides advice on compliance with the code and ERISA and assists with IRS and Department of Labor (DOL) audits and correction programs. His practice covers all types of tax-qualified and nonqualified plans and funding arrangements. In addition, Saul handles the ERISA and deferred compensation aspects of executive employment agreements, change-in-control agreements and severance agreements. He is a Fellow of the American College of Employee Benefits Counsel, and a board member and immediate past president of the New York chapter of WEB, Worldwide Employee Benefits Network, an educational and networking organization of benefits professionals.

Representative Experience

- Advised a global media company on a unique solution to providing a default investment fund under their 401(k) plans for participants who do not make an affirmative investment election. Depending on age, the default fund is either a traditional target date fund or a professionally managed account to meet the participant's particular retirement needs. The client's SVP, Human Resources received the Excellence in Innovation Award for the design from *Pensions & Investments* and the Defined Contribution Institutional Investment Association.
- Advised a multinational client on the implementation of a \$100 million pension plan class action settlement.
- Advised a client on the phase-out of a \$3 billion guaranteed interest investment fund under their 401(k) plan.
- Advised a foreign government on amending its health and welfare plan for over 4,000 Foreign Service officers.
- Assisted a recently merged global manufacturer of industrial equipment with the integration of their post-merger pension plans (including 401(k), traditional pensions, cash balance and ESOPs) and advise regarding their continuing compliance.

- Counsel to one of the world's largest media and entertainment conglomerates in all aspects of their employee benefit and executive compensation programs, including pension, 401(k), global "virtual" stock options, deferred compensation and severance programs.
- Assisted one of the largest managers of institutional assets and providers of financial services worldwide in the analysis of a proposed \$1 billion premium-value, bank-owned life insurance arrangement.
- Helped a major worldwide transportation and logistics company renegotiate deferred compensation programs to comply with the new tax rules under Section 409A of the Internal Revenue Code.
- Assisted a German-based pharmaceutical and healthcare/cosmetics company with M&A transactions and a multinational joint venture involving 40 countries.
- Helped one of the world's largest financial services companies design the first insurance policy that guarantees the payment of deferred compensation in the event of an employer's bankruptcy to receive a favorable private letter ruling from the IRS.
- Advised numerous clients on the impact of and response to the new deferred compensation rules under Sections 409A and 457A of the Internal Revenue Code applicable to both U.S. and foreign arrangements, including supplemental retirement plans, voluntary deferred compensation arrangements, employment agreements, severance plans and stock options.

Professional & Community Engagement

- American College of Employee Benefits Counsel, Fellow
- Worldwide Employee Benefits Network (an educational and networking organization of employee benefits professionals), New York chapter, board of directors, immediate past president
- National Foreign Trade Council (the oldest and largest trade association advocating an open, rules-based international trade and tax system), International Benefits Committee
- Lex Mundi, Employee Benefits & Pensions Practice Group
- "Super Lawyer" listed in the National Corporate Counsel Edition and NY Metro Edition

Education

- New York University (LL.M., 1980)
- New York Law School (J.D., 1979)
- Cornell University (B.A., 1975)

Admitted to Practice

- New York

Related Services

Tax | Employee Benefits & Executive Compensation | German Business Team | Employee Stock Ownership Plan (ESOP) Transactions and Litigation