

Thomas G. Schendt

Partner

202.239.3330

thomas.schendt@alston.com

Washington, D.C. | The Atlantic Building, 950 F Street, NW | Washington, DC 20004-1404



Tom Schendt is a partner in the firm's Employee Benefits & Executive Compensation Group. His practice focuses on qualified plan compliance and matters before U.S. Federal agencies, including the IRS, Department of Labor, PBGC and others. Tom handles audits, civil and criminal investigations, voluntary compliance initiatives, and a variety of other matters before the agencies.

Before joining the firm, Tom was employed by the IRS as technical assistant to the associate chief counsel, Employee Benefits and Exempt Organizations (EBEO) for the Office of Chief Counsel. He currently serves as chair of the IRS Liaison Group for the Mid-Atlantic Region and as chair of the Department of Labor's National Conference.

Tom is a frequent speaker on the topic of employee benefits. He has spoken to a variety of groups, including SPARK, ASPPA, ALI-ABA, the International Foundation of Employee Benefit Plans, Tax Management Institute, Institute for Applied Management and Law and many others. Since 2006, Tom has been listed in *The Best Lawyers in America*[®]. Since 2015, Tom has been recognized by *Chambers USA* as a leading lawyer in Employee Benefits & Executive Compensation.

Representative Experience

- Serves as outside counsel to The SPARK Institute, the industry's premiere plan provider association that represents 98 percent of the employee benefit plans across the country.
- Coordinated over 50 IRS/DOL civil and criminal audits and investigations. Obtained favorable results, including, in many cases, the closure of audits without penalty or indictments.
- Implemented over 60 closing agreements with the IRS, DOL, SEC and Pension Benefit Guarantee Corporation affecting issues relating to areas including retirement plan and welfare plan compliance and reporting.
- Designed corporate governance infrastructures relating to the fiduciary concerns over benefit plan administration for boards of directors for several Fortune 100 companies.
- Regularly conducts employee plan compliance self-reviews and provides alternative approaches to addressing complex plan administration issues.
- Assisted a client in correcting errors that affected over 175,000 active and retired employees. Led the negotiations of several corrections involved in this matter with the IRS. The IRS approved a level of correction that saved the client an estimate of approximately \$85 million in potential exposure.
- Provides in-house training for clients to assist in the education of their employees on their benefit programs.
- Advises various benefit plan committees on corporate governance matters as they relate to ERISA roles and responsibilities.
- Lobbied Treasury and IRS on various health and welfare matters, including Health Savings Account implementation.

- Lobbied DOL on Plan Fee issues, default investment and investment advice concerns.
- Lobbied Treasury and IRS on various retirement plan matters, including cash-balance remediation.
- Lobbied SEC concerning various matters affecting retirement plan administrators, including mutual fund restitution issues.

Publications & Presentations

Publications

- "Sanctions-Related Challenges for Payment Systems," *The Review of Banking & Financial Services*, Vol 32, No. 10, October 2016.
- "Thought Leadership - Future Shock" *Plansponsor*, October 2016.
- "Managing an IRS Audit," *Bloomberg BNA*, March 13, 2014.

Presentations

- "Employee Benefits Plan of Tax-Exempt and Government Employers," American Law Institute - 30th Annual Advanced Course and Live Webcast, Washington, D.C., October 5-6, 2017.

Professional & Community Engagement

- Chair of ASPPA's Mid-Atlantic IRS Benefits Conference
- Chair of DOL's National Conference
- Chairman of the IRS Liaison Group for the Mid-Atlantic Region, a group that provides the IRS with practical business experience in assisting them in developing guidance in the employee benefits area
- Chairman of the advisory board for BNA's new web-based "ERISA Compliance and Enforcement Library"
- Advisory board for BNA's Pension and Benefits Reporter
- Advisor board for Corporate Accountability Report
- Editorial board of Aspen Publishers' *Pension Plan Administrator*
- Editorial board of the *Journal of Pension Planning & Compliance*

Education

- Marquette University (J.D., 1985)
- Marquette University (M.B.A., 1981)
- Marquette University (B.S., 1980)

Admitted to Practice

- District of Columbia
- Wisconsin

Related Services

Tax | Employee Benefits & Executive Compensation | ERISA Litigation | Corporate & Business Transactions | Retail | Hospitality