



Lawrence J. Finnell

Senior Counsel

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Profile

Lawrence (Larry) provides a full spectrum of employee benefits services to his employer clients, having spent his legal career in this highly complex area of law. He has experience with all aspects of employee benefits plans, including tax-qualified contribution and defined benefit retirement plans, nonqualified deferred compensation plans, ESOPs, ESPPs, bank-owned life insurance/company-owned life insurance arrangements and health & welfare plans.

Larry advises on plan design matters for benefits programs, including drafting and implementing plan amendments, resolutions, participation agreements, trust agreements, summary plan descriptions, summaries of material modifications, and counsel business partners in connection with plan mergers, freezes, terminations and benefits aspects of acquisitions.

He is knowledgeable in non-disclosure agreements (NDAs), use agreements, insurance contracts, independent fiduciary contracts and record-keeping agreements. He counsels on non-marketable alternative investments, review and interpretation of partnership and LLC agreements, corporate governance documents and subscription agreements.

Larry has handled matters relating to health and welfare plans, severance plans and wellness programs, including VEBA's, and interpretation of and compliance with ERISA, the Internal Revenue Code and other federal and state laws including COBRA, HIPAA/HITECH, MHPAEA and Affordable Care Act.

Prior to joining Bond, Larry was Vice President and Assistant General Counsel at JPMorgan Chase Bank and formerly an attorney with two law firms focusing on employee benefits plans.

Representative Matters

- Assists with plan audits and plan correction issues before the Internal Revenue Service and Department of Labor, including EPCRS voluntary correction program submissions.
- Prepares government applications and submissions, such as IRS determination letter applications, Form 5500s, and annual financial reports (Form 10-K and Form 11-K).
- Negotiates and prepares service provider agreements, non-disclosure

Education

- Villanova University School of Law (LL.M. in Taxation 2012)
(Certificate in Employee Benefits, 2013)
- Suffolk University Law School (J.D. 2004)
- The College of New Jersey (B.S. in Finance 2001)

Bar/Court Admissions

- New York
- New Jersey
- U.S. District Court for the District of New Jersey

Practices

- Employee Benefits and Executive Compensation
- Higher Education

agreements, data use agreements, insurance contracts, independent fiduciary contracts, and record-keeper agreements.

- Assists with plan claims and appeals proceedings, including preparation of responses to claimants and appellants, development of appeals committees' charters, and offer guidance to committees concerning the application of the terms and conditions of plan documents and applicable laws.
- Provides support on plan investment matters, including review, preparation, negotiation, and interpretation of investment management agreements, side letters, and annuity contracts, as well as investment policy statements, investment committee charters, and conflict of interest policies.
- Counsels on non-marketable alternative investments, review and interpretation of partnership and LLC agreements, corporate governance documents, and subscription agreements.
- Advises on fiduciary issues in connection with plan investment decisions, including use of proprietary investment vehicles, fund rebalancing, revenue sharing, addition/termination of investment options, and consideration of environmental, social, and governance (ESG) factors.
- Counsels on avoidance and resolution of prohibited transaction issues, application of DOL prohibited transaction class exemptions, diligence and oversight of investment funds and managers, and transactions with affiliates, including compliance with federal reserve regulations (Reg W).
- Assists with structuring and operation of nonqualified deferred compensation plans to comply with Code Section 409A and other tax laws, including correction of operational issues.
- Advises on employee benefits litigation stemming from claims and appeals, fiduciary matters, and securities, anti-trust, and international class actions, arbitrations, and bankruptcy proceedings.
- Provides assistance with administration and operation of multiple charitable tax-exempt funds providing scholarships and other assistance to employees and their families.

Representative Presentations

- Presents to boards, investment committees, plan administrators and legal colleagues, including the general counsel, on fiduciary issues, regulatory matters, litigation and governance considerations.

Representative Publications

- "DOL Issues New Cybersecurity Guidance for Place Sponsors, Others," Special Report: Cybersecurity, *CNY Business Journal*, July 5, 2021