

# Benjamin J. Evans

## Partner



Partner

Louisville

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## Overview

Ben concentrates his practice in employee benefits law, including qualified retirement plans, employee welfare benefit plans, nonqualified deferred compensation arrangements, COBRA and ERISA-related litigation. Ben also provides advice regarding benefits issues in corporate transactions, correcting errors in the administration of employee benefit plans and dividing retirement benefits in divorce.

## Recognition

### News

- Dentons recognized by Best Lawyers in America in 2022 rankings
- “Benjamin J. Evans Elected to Kentucky Opera Board”
- “Benjamin J. Evans Appointed Chair of ABA Tax Section ESOP Subcommittee”
- “Benjamin J. Evans Appointed to Leadership Positions within the ABA's Taxation Section Employee Benefits Committee”
- “BGD Hosts Annual Employee Benefits Update”
- “Bingham Greenebaum Doll LLP Lawyer Elected President of Louisville Employee Benefits Council”

### Honors and Awards

- Selected for inclusion in *The Best Lawyers in America* in the fields of Employee Benefits (ERISA) Law; Litigation–ERISA, 2013–2022
- Named “Lawyer of the Year” in *The Best Lawyers in America* in the area of ERISA Law in Louisville, 2016, 2022
- Recognized in the *Kentucky Super Lawyers* lists, 2013–2019

- Named to Louisville Magazine *Top Lawyers List* in the areas of Employee Benefits Law and Retirement Benefits/Pension Law, 2016
- Eagle Scout
- Phi Beta Kappa
- St. Xavier High School, Commencement Address, 1993

## Insights

- “Employee Benefits: Recent Changes in FMLA, ADA, GINA, COBRA, HIPAA, unemployment and the Affordable Care,” 26th Annual Kentucky Human Resource Update, May 29, 2014
- “Health Care Reform: Employer Shared Responsibility,” Bingham Greenebaum and Doll LLP 2014 Corporate Law Update: Legal Tips for Businesses, April 11, 2014
- “Recent Developments in Wellness Programs and the Affordable Care Act,” 29<sup>th</sup> Annual Kentucky SHRM Conference, September 25, 2013
- “Health Care Reform: The Latest for Employers,” Louisville Employee Benefits Council – Health & Welfare Plan Sub-Council, September 24, 2013
- Health Care Reform Seminar, June 11, 2013
- “Health Care Reform: Ready or Not, Here it Comes! Understanding the Employer 'Shared Responsibility' Requirements,” Financial Professional Conference, KY Society of Certified Public Accountants, April 17, 2013
- “The Legal Side of Wellness,” Jeffersonville Workplace Wellness Symposium, February 19, 2013
- “ACA Market Reforms Applicable to Employer –Sponsored Health Plans,” July 11, 2012
- “Health Care Reform and Benefits Claims: Internal Claims and Appeals and External Review Under PPACA,” Lexington Employee Benefits Council, April 20, 2011
- “Understanding Health Care Reform: Advice for Employers,” Greenebaum Breakfast Briefing, July 28, 2010
- “ERISA Litigation Update: Lessons for Small Businesses,” Kentucky Society of CPAs Small Business Conference, June 25, 2010
- “Proposed Regulations under Section 409A: Identifying Affected Arrangements and Understanding the Transition,” Louisville Employee Benefits Council, 2005
- “Understanding the New Determination Letter Program,” Louisville Deferred Compensation Practitioners, 2005
- “Safe Harbor 401(k) Plans,” Cincinnati Bar Association,” Annual Employee Benefits Conference, 2004
- “Fundamentals of Qualified Retirement Plans,” Lorman Educational Services, Seminar on Estate Planning for the Family Business, 2002

## Activities and Affiliations

- Louisville Bar Association
- American Bar Association
- Louisville Employee Benefits Council
- Louisville Deferred Compensation Practitioners

## Community Involvement and Pro Bono

- Board of Directors, Bourbon Baroque
- Member, Saint Francis Xavier Society, St. Xavier High School
- Board of Directors, Pomerium Musices Inc.
- Knights of Columbus, Notre Dame Council, No. 1477 (Past Grand Knight)
- Panelist, “The Benefits of a Career in Employee Benefits,” Louisville Area Chapter ISCEBS

## Presentations

- “Employee Benefits Update – ACA, Wellness Programs and Fiduciary Regs,” Louisville Area Chapter ISCEBS, Louisville, Kentucky, August 3, 2017
- “Employee Benefits Update Seminar,” Evansville Country Club, Evansville, Indiana, June 30, 2016
- “The Benefits of a Career in Employee Benefits,” Louisville Area Chapter ISCEBS, Louisville, Kentucky, October 15, 2014
- “2014 Corporate Law Update: Legal Tips for Kentucky Business”
- 26<sup>th</sup> Annual Kentucky Human Resource Update, Lexington
- 26<sup>th</sup> Annual Kentucky Human Resource Update, Louisville
- 26<sup>th</sup> Annual Kentucky SHRM Conference
- 27<sup>th</sup> Annual Kentucky SHRM Conference
- “Benefit Claims and Health Care Reform: Internal Claims and Appeals and External Review Procedures under PPACA”
- “Federal Tax Reform Insights - Indianapolis Program”
- Greenebaum Breakfast Briefings
- “Health Assessments in Wellness Programs: What Plan Sponsors Can Do Under Current Enforcement/Regulations”
- “Health Care Reform: The Ruling – What now?”
- “Understanding Health Care Reform – Advice For Employers”

## Memberships

- Chair, American Bar Association, Employee Stock Ownership Plans Subcommittee, 2018–2019
- Assistant Vice-Chair, American Bar Association, Employee Stock Ownership Plans Subcommittee, 2014–2017
- Executive Committee, Louisville Employee Benefits Council; President, Vice President, Secretary and Treasurer, 2010–2015
- Chair, American Bar Association Tax Section's Committee on Employee Benefits, Subcommittee for Litigation, 2011–2013; Vice Chair, 2010–2011

# Areas of focus

## Practices

- ERISA Litigation
- Plan Fiduciary Advice, Funding and Investments
- Pensions, Benefits and Executive Compensation
- Employee Benefits and Retirement Funds

## Education

- University of Notre Dame Law School, 2000, JD, *cum laude*
- University of Notre Dame, 1997, BA, Philosophy/Medieval Studies, *summa cum laude*
- St. Xavier High School, 1993

## Admissions and qualifications

- Kentucky
- US Court of Appeals for the Sixth Circuit
- US District Court for the Eastern District of Kentucky
- US District Court for the Western District of Kentucky
- US Supreme Court