



Employee Stock Ownership Plans

Nationwide Service

dewittllp.com

MADISON : GREATER MILWAUKEE : MINNEAPOLIS



DeWitt's ERISA and corporate attorneys work in all aspects of Employee Stock Ownership Plans, from inception to termination and everything in between. We have worked with ESOPs of small businesses (fewer than 25 participants) and very large ESOP companies (with thousands of participants). Because ESOPs are governed by federal law, our attorneys are able to assist ESOP companies nationwide.

ESOP services we provide include:

- Preparation of documents necessary to establish and maintain an ESOP;
- Preparation of documents necessary to sell all or a portion of a company to an ESOP;
- Preparation of loan documents related to ESOP exempt loans;
- Counseling on fiduciary responsibilities as an ESOP Trustee;
- Counseling on ESOP tax consequences, including S Corp and Section 1042 elections;
- Preparation of IRS ESOP filings for determination letter requests (IRS Form 5300) and formal correction requests through the IRS's correction programs (EPCRS);
- Counseling on ESOPs in third-party merger and acquisition situations; and
- ESOP litigation services.

Our attorneys have developed relationships with other ESOP services providers. These providers are necessary to establish and maintain an ESOP and include valuation experts, record keepers, third-party administrators, independent trustees, sell-side advisors, accounting firms and lenders. We are able to recommend service providers when requested and are also able to work seamlessly with service providers with whom the client already has a relationship.

We are active participants in the ESOP "community" and are members of the ESOP Association and the National Center for Employee Ownership (NCEO). Our attorneys regularly attend ESOP Association and NCEO conferences and meetings and are frequent presenters at those events.

Our ESOP clients took the opportunity to learn about our firm and stayed with us for the following reasons:

- **We don't "dabble" in ESOPs – we focus on them.** With more than 75 ESOP company clients, we are fully aware of the day-to-day and long-term issues ESOP companies experience.
- **We promptly respond to clients.**
- **We give our clients answers they can understand, even when the issues are far from simple.**
- **We don't believe in "surprise" invoices.** Our clients expect to know not only what our rates are, but also how much projects are going to cost, and we tell them.

About Our Firm

We understand that clients want attorneys who have a track record of success. The success of our clients is our ultimate and enduring goal. Our clients include large corporations, ESOPs, family-owned businesses, associations, individuals and others who seek our advice in more than 30 different areas of the law. We proudly serve clients locally and beyond from our offices in Madison and Brookfield, Wisconsin and Minneapolis, Minnesota.

Our team of attorneys embodies the qualities one desires when choosing a law firm, and this commitment has been recognized by our clients and broadly across the marketplace. We consistently earn national recognition as one of the Best Law Firms by U.S. News Media Group and Best Lawyers®, where we were ranked as a First-Tier Law Firm, the highest ranking, in nearly 20 practice areas.

More Information

If you would like more information or want to discuss the feasibility of an ESOP for your company, please contact **Brian L. Anderson** by email at bla@dewittllp.com or by phone at **608.252.9340**; or **Timothy L. Stewart** by email at tls@dewittllp.com or by phone at **262.754.2869**; or **Andrew J. Bezouska** by email at ajb@dewittllp.com or by phone at **608.252.9200**.