

Proskauer Expands Nationally Recognized Employee Benefits, Executive Compensation & ERISA Litigation Practice with Key Talent

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October 21, 2009 (Washington, DC) - A group of prominent employee benefits lawyers led by Paul M. Hamburger have left McDermott Will & Emery's Washington, D.C. office to establish the D.C. employee benefits practice of international law firm Proskauer Rose LLP. The move marks a significant step for the firm's newly integrated Employee Benefits, Executive Compensation & ERISA Litigation Practice Center, which is rapidly approaching its 70-lawyer mark.

The addition of Mr. Hamburger - along with a trio of his partners, Todd B. Castleton, Eugene M. Holmes and James R. Napoli - broadens the reach of Proskauer's national benefits practice, which is now spread across six of the firm's 12 offices. The enhancement of Proskauer's capabilities in Washington, D.C., at a time when the legislative and regulatory environment presents especially complex and growing challenges to both employers and public and private retirement and health plans, is a critical element of the firm's strategic plan.

Described by his clients (in *Chambers USA*) as a "creative, business-oriented and brilliant lawyer who educates and enlightens," Mr. Hamburger has been practicing benefits law exclusively for more than 25 years. One of only two lawyers ranked by *Chambers USA* in the top tier of D.C. Employee Benefits Counsel, Mr. Hamburger has advised scores of Fortune 500 employers on all aspects of their employee benefit programs, particularly in connection with large M&A and other corporate transactions. He is also one of the nation's leading authorities on COBRA and frequently represents his clients before such important government agencies as the Internal Revenue Service, the U.S. Department of Labor, and the Pension Benefit Guaranty Corporation in connection with complex regulatory matters.

Allen Fagin, Proskauer's Chairman, pointed to the addition of Mr. Hamburger, and his entire team, as yet another example of the firm's ability to attract top talent in key markets in the United States and abroad.

"We have known of Paul and his colleagues for several years and have long hoped we could entice them to join our benefits practice," said Mr. Fagin. "We are delighted to finally welcome them to Proskauer. Our firm is built on sophisticated legal and business advice, longstanding partnership with our clients, and exceptional client relationships and service. Nowhere are these skills and client commitment more evident than within our Employee Benefits Practice Center. The addition of this group and their roster of new clients are a key enhancement to our abilities."

"For nearly a quarter-century, Proskauer has been widely recognized, by clients and practitioners alike, for our prowess in the benefits, executive compensation and ERISA litigation arena," added Rory Judd Albert, co-chair of the firm's Employee Benefits Practice Center. "Our experience, breadth and depth of practice, level of expertise and client service commitment are among the many important criteria that encourage Fortune 500 companies, and large public and private retirement and health plans, to turn to Proskauer for their most complex, high-stakes matters. These are also the reasons why lawyers such as Paul and his group are attracted to our firm."

Mr. Albert added that "the addition of this group could not have come at a more propitious time for the practice, as it coincides with the firm's full integration into a national platform of nearly six-dozen lawyers practicing exclusively in the employee benefits, executive compensation and ERISA litigation areas. We maintain one of the largest, and most prominent, practices of its kind in the nation, and Paul, Todd, Eugene and Jim will play critical roles in continuing to expand our ability to serve clients nationwide in this ever-changing environment. Our current plans are to expand our platform to what we expect will soon be 100 employee benefits lawyers nationwide," he said.

"Paul is an ideal fit for the firm," said Trevor Chaplick, head of Proskauer's D.C. office. "As legislative and regulatory activity continues to engender complex and costly employment-related challenges for companies, their benefit plans, and executives alike, a strong Washington, D.C. presence has become increasingly important, particularly in the benefits arena. Paul and his team have built distinguished careers in this niche market. They will now bring that experience to bear at Proskauer, expanding our local presence and further enhancing nationally the capabilities of one of the firm's important and rapidly growing practice areas."

"It is a great addition to have Paul's group join our Washington, D.C. office," said Howard Shapiro, co-head of Proskauer's national ERISA Litigation Group and immediate past-president of the American College of Employee Benefits Counsel. "I have worked with Paul in the past and know that his hands-on acumen and ability to analyze complex benefit issues will be an asset to our entire national litigation practice."

An adjunct professor at Georgetown University Law Center, Mr. Hamburger is a prolific author and speaker on employee benefit matters. He graduated from the University of Michigan (*cum laude*) and earned a J.D. from the University of Michigan Law School. He has written numerous articles, and three nationally circulated publications, on benefits issues, including *Mandated Health Benefits - The COBRA Guide*; *The Guide to Assigning & Loaning Benefit Plan Money*; and *The Pension Plan Fix-It Handbook*.

Mr. Castleton's practice focuses on the compliance and administration of qualified defined contribution and defined benefit plans, nonqualified deferred compensation arrangements, and health and welfare plans. His background also includes significant experience with multiple employer, prototype and volume submitter plans. A graduate of the University of Utah, he earned a J.D. from George Mason University School of Law and an LL.M. from Georgetown University Law Center.

Mr. Holmes counsels clients in plan operation and governmental regulatory compliance. He also advises on the compensation and benefits plan ramifications and employer workforce impacts that result from corporate transactions, including mergers and acquisition and reduction-in-force initiatives. A graduate of Michigan State University, he earned a J.D. from Boston University School of Law and an LL.M. from Georgetown University Law Center.

Mr. Napoli has an active ERISA practice and counsels clients on qualified defined contribution and defined benefit plans, nonqualified deferred compensation arrangements, health and welfare plans, and has a very active controversy practice. He also advises clients on ERISA and related litigation, as well as government compliance. A graduate of Cleveland State University, he earned a J.D. from the University of Akron School of Law, and is recognized by *U.S. Legal 500* as a "Leading Lawyer".

Proskauer's nationally recognized Employee Benefits, Executive Compensation & ERISA Litigation Practice Center, co-chaired by Mr. Albert and Michael Sirkin, includes nearly 70 lawyers whose range of skills covers the entire spectrum of employee benefits, executive compensation, ERISA and tax law. The lawyers in the group formulate innovative, practical and proactive solutions and legal strategies for the world's top companies, organizations, public and private health and benefits funds, and business leaders. The broad scope of the legal acumen of the lawyers in this group, as well as their highly-sophisticated approach to the complex laws and business practices affecting benefit plans and compensation arrangements in any context - whether advisory, transactional, compliance- or litigation-related, have led to The Practice Center and its lawyers being consistently ranked among the top-tier firms and practices in the country.

About Proskauer Rose

Proskauer Rose, founded in 1875, is an international law firm providing a wide variety of legal services to clients worldwide from offices in Boca Raton, Boston, Chicago, Hong Kong, London, Los Angeles, New Orleans, New York, Newark, Paris, São Paulo and Washington, D.C. The firm, which has wide experience in all areas of practice important to businesses, not-for-profit institutions and individuals, can be found online at www.proskauer.com.