



Contact

Neal S. Schelberg

Partner

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Neal serves as legal counsel to numerous pension and welfare benefit plans subject to ERISA. His clients span a wide variety of industries, including professional sports, teamsters, building and construction, health care, industrial, wholesale and retail food and newspaper publishing. He has particular experience representing insolvent and financially distressed multiemployer pension plans.

He practices the full spectrum of employee benefits law. From advising on compliance issues, to negotiating benefit provisions in mergers and other business reorganizations and advising benefit plan clients and sponsors on investment transactions in traditional and alternative asset classes, Neal deftly hones in on the critical issues in order to protect the plan fiduciaries and meet their business needs.

Neal has been widely recognized as a leading employee benefits practitioner in Proskauer's Employee Benefits & Executive Compensation Group which is rated "Tier 1" by *The Legal 500 United States*, a leading legal directory which rates firms and lawyers based on client feedback. Clients cite Neal as 'one of a kind' – he is the only practitioner in the field I would select to brief a CEO or corporate board."

He is a former Chair of the ERISA Advisory Council, having been appointed to this position by the U.S. Secretary of Labor in 2014

Neal is a frequent lecturer and prolific author for many organizations such as the

International Foundation of Employee Benefit Plans, the Law Education Institute and the Practising Law Institute. He has also been quoted in numerous journals and periodicals.

He serves as a board member for the National Association of Drug Abuse Programs and the D.C. 9 Scholarship Fund.

[Close](#)

Matters

Prior Key Representations:

- National Hockey League in its 113-day lock-out of the NHL Players Association during the shortened 2012-2013 playing season, in which the benefit issues were key elements in the resolution of the labor dispute. As the lead employee benefits attorney, Neal negotiated the benefit provisions of the new 10-year collective bargaining agreement and redesigned, drafted and implemented the various U.S. retirement plan arrangements, including the new multiemployer defined benefit plan for the U.S. Players.
- National Basketball Association in its 2016 labor negotiations with the National Basketball Players Association. Neal was involved in the negotiation of the employee benefit provisions in the new collective bargaining agreement, including redesigning the NBA Pension Plan from an NBA-administered trust fund to a jointly administered labor-management fund.
- A critical and declining multiemployer defined benefit pension fund in submitting an application to the Internal Revenue Service for a suspension of benefits and to the PBGC for a partition.
- A group of food industry multiemployer defined benefit pension funds in mass withdrawals of each of the plans in which all of the contributing employers permanently ceased their obligations to contribute and worked with the plan fiduciaries to assess and collect tens of millions of dollars of withdrawal liability.
- A small multiemployer defined benefit pension fund that was in critical status in a transaction in which a \$550 million single employer plan merged into the multiemployer fund, allowing the plan actuary to certify the combined fund as

fully funded.

Practices

Hiring & Terminations, Strategic Corporate Planning, Employee Benefits & Executive Compensation

Industries

Health Care

Education

Georgetown University Law Center, LL.M., 1985

Hofstra University School of Law, J.D., 1979

Notes and Comments Editor, *Hofstra Law Review*, 1978-1979

Brooklyn College, M.A., 1976

Brooklyn College, B.A., 1975

Admissions & Qualifications

New York

Court Admissions

U.S. Court of Appeals, Second Circuit

U.S. District Court, New York, Eastern District

U.S. District Court, New York, Northern District

U.S. District Court, New York, Southern District

U.S. Tax Court

U.S. District Court, New York, Western District

Memberships

International Foundation of Employee Benefit Plans (Attorneys Committee)

Awards & Recognition

Lawdragon 500 Leading U.S. Corporate Employment Lawyers 2020-2021

Fellow, American College of Employee Benefits Counsel

New York Magazine and the New York Law Journal Top Rated Lawyer 2020
The Legal 500 United States Leading Lawyer 2017-2020
The Legal 500 United States: Labor & Employment: Employee Benefits & Executive
Compensation 2012-2017, 2019-2020
The Legal 500 United States: Tax: Employee Benefits 2011
Best Lawyers in America 2016-2022
New York Super Lawyers 2006-2020
Who's Who Legal, Pension and Benefits Award 2016
Euromoney Legal Group Guide to the World's Leading Labour & Employment
Lawyers
"Top Benefits Lawyers in the United States," National Law Journal 1998
Lawdragon, Human Resource Executive: "Top 100 Most Powerful Employment
Attorneys" (Top 20 Employee Benefits and ERISA) 2019