



JESSE J. GELSOMINI

Partner

jesse.gelsomini@haynesboone.com

PRACTICES: Employee Benefits and Executive Compensation, Plan Fiduciaries Counseling, ESOPs and Other Stock-Based Plans, Executive and Incentive Compensation, Employee Benefits M&A, Health and Welfare Plans, Retirement Plans, Midstream, Oil and Gas

HOUSTON

1221 MCKINNEY STREET
SUITE 4000
HOUSTON, TX 77010
T +1 713.547.2233
F +1 713.236.5423

THE WOODLANDS

10001 WOODLOCH FOREST
DRIVE
SUITE 200
THE WOODLANDS, TX 77380
T +1 713.547.2233
F +1 713.236.5423

EDUCATION AND CLERKSHIPS

- J.D., University of Houston Law Center, 1986, *cum laude*; Order of the Coif; Order of the Barons; *Houston Law Review*
- Certified Public Accountant, State of Texas, 1982-Present
- B.S., Pennsylvania State University, 1980, *with honors*; (Accounting Honors Program Graduate); Beta Gamma Sigma; Beta Alpha Psi.

ADMISSIONS

- Texas

Jesse Gelsomini's principal areas of practice are Employee Benefits, ERISA and Executive Compensation. He has significant experience in designing, drafting, implementing, and administering tax qualified pension, 401(k), profit sharing, ESOP and stock bonus plans. His experience also includes a wide variety of work in the areas of health care and other types of employee welfare benefit plans, as well as stock option, restricted stock, golden parachute and other incentive compensation and equity arrangements. Jesse's clients range in size from small privately-owned businesses to Fortune 500 corporations. His practice includes representing clients before the Internal Revenue Service (IRS) and the Department of Labor (DOL); providing legal advice on such issues as fiduciary responsibility requirements, tax effects, disclosure and other compliance matters; handling all aspects of benefit plans that arise in conjunction with mergers, acquisitions, divestitures and other business transactions; and providing advice on litigation matters that involve benefit plans. In addition, he represents both employers and executives with employment contracts and incentive programs, and he provides counsel to clients regarding employment laws. Jesse also represents many companies which are non-subscribers to the Texas Workers' Compensation Act.

Jesse is a contributor to Haynes and Boone's [Practical Benefits Lawyer](#) blog, which discusses issues and developments in the areas of employee benefits and executive compensation.

Selected Client Representations

- Employee benefits negotiation and transition matters for mergers and other business transactions
- ERISA fiduciary compliance reviews
- HIPAA, VEBA, MEWA and other health plan matters
- Transactions involving ESOP owned companies
- Design and drafting of executive incentive arrangements, including ERISA and tax implications

Professional Recognition

- Recognized in *Chambers USA*, *Chambers and Partners*, for Employee Benefits & Executive Compensation (Houston), 2019-2020
- Recognized by *Best Lawyers*, Woodward/White, Inc., as a "2021 Lawyer of the Year"

-
- Recognized as one of *The Best Lawyers in America*, Woodward/White, Inc., for Employee Benefits Law, 2006-2021
 - Recognized in *Legal 500 U.S.*, 2020
 - Selected for inclusion in *Texas Super Lawyers*, Thomson Reuters, 2003-2013, 2015-2016, 2018-2019
 - *Martindale Hubbell® Law Directory* with a Peer Review Rating of AV® Preeminent™
 - ALM and Martindale Hubbell® recognition of Top Rated Lawyer in Labor & Employment Law, 2013

Professional and Community Activities

- Member of the Board of Trustees of the United Way of Greater Houston
- Southwest Benefits Association
- American Bar Association, Sections of Tax (Employee Benefits Committee), Labor & Employment Law, and Health Law
- Texas and Houston Bar Associations
- Houston ERISA Industry Group
- American Institute of Certified Public Accountants
- American Association Attorneys-CPAs

Selected Publications and Speeches

- "Anthem's Data Breach Impacts Many Anthem and Non-Anthem Plans: Necessary Employer Actions Now," *Employee Benefit Plan Review*, Volume 69, Number 11, May 2015.
- "Classifying Full-Time Employees Under the Affordable Care Act," presented at American Petroleum Labor Lawyers Association Annual Meeting, October 16, 2014.