



Jesse J. Gelsomini

Partner

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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

Named the 2021 "Lawyer of the Year" in the Houston metropolitan area for employee benefits (ERISA) law by *Best Lawyers* (Woodward/White, Inc.), Jesse Gelsomini helps clients in all industries efficiently resolve matters related to employee benefits, ERISA, and executive compensation. He brings over three decades of focused legal experience to his work designing, drafting, implementing, and administering tax-qualified pension, 401(k), profit sharing, ESOP, and stock bonus plans.

A former CPA with a "Big Four" firm, Jesse has a strong tax background and understands his clients' business needs. He provides time-sensitive, practical legal advice 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 privately owned businesses to governmental employers to Fortune 500 corporations. His work includes:

- Representing clients in investigations and other compliance matters involving the IRS, Department of Labor, and other governmental agencies
- Handling regulatory issues under applicable laws, including ERISA, the Internal Revenue Code, HIPAA, COBRA, and state laws
- Providing legal advice on such issues as fiduciary responsibility requirements, tax effects, disclosure, and other compliance matters
- Handling all aspects of benefit plans and executive compensation arrangements that arise in conjunction with mergers, acquisitions, divestitures, and other business transactions
- Advising on litigation matters that involve benefit plans
- Representing both employers and executives with employment contracts and incentive arrangements
- Providing counsel regarding employment law considerations
- Advising companies which are non-subscribers to the Texas Workers' Compensation Act

Jesse is a contributor to the firm's [Practical Benefits Lawyer blog](#), which discusses issues and developments in all areas of employee benefits and executive compensation. He also serves on the board of trustees of the United Way of Greater Houston.

QUALIFICATIONS

EDUCATION

- 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, *with honors*; (Accounting Honors Program Graduate); Beta Gamma Sigma; Beta Alpha Psi.

ADMISSIONS

- Texas
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Employee Benefits/Executive Compensation Changes Made by the CARES Act," author, Haynes and Boone client alert, March 31, 2020.
 - "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.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Fellow, Texas Bar Foundation
 - 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
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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
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AWARDS AND RECOGNITIONS

- Selected for inclusion in the *Lawdragon 500* Leading U.S. Corporate Employment Lawyers listing, Lawdragon Inc., 2021-2025
- Recognized in *Chambers USA*, Chambers and Partners, for Employee Benefits & Executive Compensation (Houston), 2019-2024
- 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, 2006-2025
- Recognized in *Legal 500 U.S.*, 2020-2022
- Selected for inclusion in *Texas Super Lawyers*, Thomson Reuters, 2003-2013, 2015-2016, 2018-2020
- *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