



## **Charles F. Plenge**

**Senior Counsel**

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Dallas

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**PRACTICES** Portfolio Companies and Investors, Employee Benefits and Executive Compensation, Plan Fiduciaries Counseling, ERISA and Other Benefits Litigation, ESOPs and Other Stock-Based Plans, Retirement Plans, Financial Institutions and Insurance Finance

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Charles Plenge's extensive knowledge and experience in all areas of employee benefits and executive compensation allows him to provide knowledgeable, practical counsel to clients, whether it involves compliance matters or other problems that arise. He also was in charge of the development and modification of the firm's benefit plans and served as the firm's in-house benefits counsel for many years, so he understands the business side of an employer's benefits issues, as well.

Chuck has represented employers of all sizes in all aspects of their employee benefits needs, from health and welfare and qualified retirement plans and related ERISA fiduciary issues, to executive compensation and equity incentive programs; financial institutions in their lending activities where benefit plan issues were involved; companies involved in acquisitions and sales of businesses; as special pension counsel to parties involved in litigation relating to benefit plan matters; businesses in bankruptcy cases involving employee benefit plan issues; individuals in regard to their employment and incentive compensation agreements; and fiduciaries and investment managers for benefit plans.

Among the many matters he has handled, Chuck has represented a publicly-held utility company with the establishment of entirely new compensation programs ranging from preparing revised performance compensation plans for various employee levels to developing executive compensation arrangements for senior management and directors; advised private equity and venture capital companies regarding the establishment of benefits packages for newly acquired companies, including coordinating the activities of the outside benefits consultants and vendors with the in-house benefits staff; represented a national company in a class action lawsuit involving the status of an executive compensation plan under ERISA; and prepared governance charters for publicly-held companies' retirement committees.

Chuck formerly served on the Graduate Employee Benefits Programs Advisory Board in The Center for Tax Law and Employee Benefits at The John Marshall Law School in Chicago and as chairman of the Internal Revenue Service Advisory Committee on Tax Exempt and Government Entities (ACT), a national committee which advises the Tax Exempt and Government Entities Division regarding the development and implementation of policies concerning the taxpayers under this Division's jurisdiction. He also has spoken extensively on all aspects of employee benefits, and has taught courses at the SMU Dedman School of Law and John Marshall Law School.

Chuck's counsel and advice extends to his community activities as well, having served as a deacon in his church and on the board of directors of his local branch of the YMCA.

## QUALIFICATIONS

### EDUCATION

- J.D., Southern Methodist University Dedman School of Law, 0, Editor-in-Chief, *Journal of Air, Law and Commerce*
- B.A., Wesleyan University, 0

### ADMISSIONS

- District of Columbia
  - Texas
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## PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- State Bar of Texas
  - District of Columbia Bar
  - The American College of Employee Benefits Counsel, Charter Fellow
  - American Bar Association, Employee Benefits Committee, Taxation Section
  - Dallas Bar Association, Employee Benefits Section
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## SELECTED CLIENT REPRESENTATIONS

- Representing publicly-held companies regarding the tax issues related to stock option backdating issues.
  - Representing a publicly-held utility company with the establishment of entirely new compensation programs ranging from preparing revised performance compensation plans for rank and file employees to developing executive compensation arrangements for senior management and directors.
  - Advising private equity and venture capital companies regarding the establishment of benefits packages for newly acquired companies, including coordinating the activities of the outside benefits consultants and vendors with the in-house benefits staff.
  - Representing a national company in a class action lawsuit involving the status of an executive compensation plan under ERISA.
  - Conducting extensive compliance reviews and fiduciary audits of various benefit plans.
  - Advising a major bank regarding the liability issues associated with an underfunded pension plan and the lender's status under Title IV of ERISA.
  - Preparing governance charters for publicly-held companies' retirement committees.
  - Representing private equity companies on the employee benefits aspects related to investments in investment funds.
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## AWARDS AND RECOGNITION

- Recognized in *The Best Lawyers in America*, Woodward/White, Inc., Employee Benefits (ERISA) Law, 2010-2022
- Recognized as a *Texas Super Lawyer*, Thomson Reuters, Employee Benefits/ERISA, 2009-2013, 2015-2018

# HAYNES BOONE

- Recognized as a "Best Business Lawyer in Dallas" by *D Magazine*, D Magazine Partners, for Employee Benefits/ERISA, 2009, 2011-2014
- Named *Best Lawyers'* 2010 Dallas Employee Benefits "Lawyer of the Year," Woodward/White, Inc., 2010
- Recognized in *Who's Who Legal: Texas*, Law Business Research Ltd. in Employee Benefits, 2008
- *Martindale Hubbell Law Directory* with a Peer Review Rating of AV Preeminent