

# COVINGTON

COVINGTON & BURLING LLP



## ROBERT NEWMAN

Partner  
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 Covington & Burling LLP  
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### PRACTICES

- Employee Benefits & Executive Compensation
  - Broad-Based Employee Benefit Plans
  - Corporate Acquisitions, Divestitures & Finance
  - ERISA & Employee Benefits Litigation
  - Executive & Equity Compensation
  - Government Relations
  - Plan Investments & Fiduciary Issues

### EDUCATION

- New York University School of Law, J.D., 1996
  - *magna cum laude*
  - Order of the Coif
- Brown University, B.A., 1992
  - *magna cum laude*

### JUDICIAL CLERKSHIP

- Hon. Alan C. Kay, U.S. District Court, District of Hawaii

### BAR ADMISSIONS

- District of Columbia
- New York

Robert Newman is a partner in the firm's employee benefits and executive compensation practice group. He represents clients ranging from small employers to some of the nation's largest employers, including for-profit and tax-exempt entities. His practice includes:

- designing, drafting, and amending a wide range of retirement plans (including 401(k) plans, ESOPs, and traditional and hybrid defined benefit plans) and welfare plans (including health, severance, and cafeteria plans);
- creating executive compensation arrangements including nonqualified deferred compensation plans, stock option plans, and other incentive plans;
- representing clients before the IRS and the Department of Labor;
- assisting clients with legislative initiatives;
- providing benefits expertise in corporate transactions and ERISA litigation;
- counseling clients with respect to pension fund investments in private equity funds and hedge funds; and
- negotiating and writing employment agreements.

### REPRESENTATIVE MATTERS

- Testified at hearing before the ERISA Advisory Council on "Private Sector Pension De-risking and Participant Protections."
- Served as ERISA counsel to Verizon Communications Inc. on its transfer of \$7.5 billion in pension liabilities to The Prudential Insurance Company of America.
- Designing and drafting a pension plan document converting a client's traditional defined benefit plan to a cash balance

pension plan.

- Testifying before the IRS on behalf of the ERISA Industry Committee on proposed anti-backloading regulations.
- Drafting comprehensive amendments to nonqualified deferred compensation arrangements for two of the nation's largest employers to comply with section 409A of the Internal Revenue Code.

#### HONORS AND RANKINGS

- *Legal 500 US*, Labor & Employment - ERISA Litigation and Employee Benefits and Executive Compensation (2013)
- *Washington DC Super Lawyer*, Employee Benefits/ERISA (2013)
- Recipient of the 2012 "Burton Award for Legal Achievement."

#### PUBLICATIONS

- "The Threat from Within: Theft of Business Critical Information by Company Insiders," (March 2013), Co-Author
- "Private Sector's Role In White House Trade Secrets Plan," *Law360* (2/21/2013), Co-Author
- "Sixth Circuit Holds Severance Pay for Layoffs Not Subject to FICA Taxes," *Covington E-Alert* (9/7/2012), Co-Author
- "Re-Imagining the Pension Plan: Sharing Risk to Achieve Efficient, Sustainable Retirement Security," *N.Y.U. Review of Employee Benefits and Executive Compensation* (2012), Co-Author
- "Hybrid Plans at the Crossroads: Will Treasury and IRS Allow Them to Be Defined Benefit Plans?," *BNA, Inc. Pension & Benefits Daily* (6/3/2011), Co-Author
- "IRS Changes Scope of "Covered Employees" Under Section 162(m)," (6/8/2007), Co-Author
- "Age Discrimination in Cash Balance Plans: Another View," *19 Va. Tax. Rev. 763* (Spring 2000), Co-Author
- "Stock Options - You Can't Take Them With You," *2 Public Company Advocate 4* (July 1999), Co-Author
- "The Effectiveness of an Unpublished Rule," *1995 Ann. Surv. Am. L. 1* (1995), Author

#### PRESENTATIONS AND SPEECHES

- "De-Risking is Job One: A Review of Ford and GM's Pension De-Risking Efforts and the Impact on Plan Sponsors," *Society of Actuaries Webcast* (8/15/2012)