

RICHARD P. MCHUGH
645 Evans Avenue
Bethany Beach, Delaware 19930

Phone: 703-298-1459
email: rpmchugh77@gmail.com

Professional Experience:

Specialist in all areas of employee benefits law, including qualified and non-qualified retirement plans, incentive compensation programs, ESOP's and health and welfare benefit plans, with considerable experience handling employee benefit plan issues in the context of mergers and acquisitions, takeovers and dispositions.

Provide consultation and advice regarding legislative and regulatory developments affecting the employee benefits industry, including retirement, health care and executive compensation matters and related human resource issues. Extensive expertise in the area of employment arrangements, including employment agreements, and executive compensation, including stock-based compensation programs, golden parachutes and incentive compensation programs. Specialist in the design and administration of employer-based health and welfare programs, including the continuing implementation of the federal health care reform legislation.

Frequent lecturer before industry and professional groups on various employee benefit matters and speaker before governmental agencies on employee benefit matters. Contacted by media for comment on employee benefit issues (e.g., appeared in 2009 on a segment of NPR program "All Things Considered" on President Obama's executive compensation initiatives for financial institutions receiving federal aid, and quoted in an article "Leaving Money on the Table; Why CEO's Aren't Cashing in Their Stock Options" in *Multichannel News* (March, 2008)). Published author of several articles relating to employee benefit matters and made presentations on employee benefits issues before industry-based groups (see examples below).

Employment:

Emens, Hurd, Kegler & Ritter, Columbus, Ohio, Associate (May, 1980 – October, 1983)

Dow Lohnes PLLC, Washington, D.C., Associate (October, 1983 – December, 1988); Partner (January, 1989 – April, 2010)

Porter Wright Morris & Arthur LLP, Washington, D.C., Partner (May, 2010 – Present); Partner-in-Charge (October, 2012 – August, 2015); Of Counsel (September, 2015 – October, 2016)

Plan Sponsor Council of America, Vice President, Washington Affairs (September, 2015 – August, 2016)

The Potomac Law Group, Partner (October, 2016-June, 2022).

Professional Qualifications:

Admitted to practice: Ohio, 1980, District of Columbia, 1984

Listed in the *Best Lawyers in America*® in the area of Employee Benefits (ERISA) Law

Listed in the *Washington D.C. Super Lawyers* (Employee Benefits).

Professional Memberships:

District of Columbia Bar Association (Member, Employee Benefits Committee)

American Bar Association (Member, Tax Section and Employee Benefits Committee)

Member, Southern Employee Benefits Conference (President, 2001)

American Benefits Council (Member, Retirement and Investment Policy Committee)

Education:

Georgetown University, Washington, D.C.

A.B., Economics with Departmental Honors, 1977 (cum laude), Alpha Sigma Nu (National Jesuit Honor Society)

Georgetown University Law Center, Washington, D.C.

J.D., 1980, Law Fellow, 1978-1979

Civic Activities:

Board of Directors member and pro bono counsel, Washington Ireland Program

Member, Board of Trustees, Georgetown Visitation Preparatory School (Washington, D.C.)

Member, Board of Directors (President), Birches Homeowners Association, Inc. (Arlington, Virginia)

Member, Board of Directors of the Bethany Beach Landowners Association (Bethany Beach, Delaware)

Representative Publications and Speeches:

Co-author, BNA Tax Management Portfolio #364, "Qualified Plans—Treatment in Mergers, Acquisitions and Other Corporate Transactions"

Co-author, Application of Code Section 409A to Employment Relationships: Tax Law Meets Employment Law" *Compensation and Benefits Review*

Moderator and presenter, Pensions and Investments "Developments Affecting Defined Contribution Plans" P&I West Coast Defined Contribution Conference, November 3, 2009 (San Francisco, California)

Moderator and presenter, Pensions and Investments "Developments Affecting Defined Contribution Plans" P&I East Coast Defined Contribution Conference, February, 2010 (Miami, Florida)

Co-speaker, Association for Advanced Life Underwriting, "Relationship of Qualified Plans to Non-Qualified Plans under IRC Section 409A", 2010 AALU Annual Meeting, April, 2010 (Washington, D.C.)

Speaker, Tax Executives Institute, Inc. Carolinas Chapter "Non-Qualified Deferred

Compensation Plans – A Primer,” February 23, 2012 (Greensboro, North Carolina).
Greensboro, North Carolina

Co-speaker, Pensions & Investments East Coast Defined Contribution Conference “How
Investment Decision-Making Is Altered by the Evolving Fee Landscape”, March 2, 2015
(Miami, Florida)

Speaker, Dimensional Funds Advisors Defined Contribution Conference 2016 “Washington Legal and
Regulatory Update” July 27-28, 2016 (Chicago, Illinois)