

# Executive Compensation

One of the most important concerns of any business is the retention and motivation of qualified management. Our attorneys have in-depth experience in the development and preparation of many kinds of executive employment agreements and bonus and incentive compensation plans.

Our attorneys are up to date on a wide variety of deferred tax plans, including defined benefit pension plans, incentive and nonqualified stock options (ISOs and NQSOs), 401(k), profit-sharing plans, stock appreciation rights (SARs), long-term incentive compensation plans, supplemental executive retirement plans (SERPs), excess benefit plans and ESOPs. We also prepare stock option plans, obtain qualification of various plans from the IRS where required, and administer compliance of various plans where governed by DOL and SEC regulations.

Our experience includes designing plans to comply with SEC reporting rules and the tax rules for “performance-based compensation” under Section 162(m) of the Internal Revenue Code. We have worked extensively with the limitations imposed under the “golden parachute” provisions of Sections 280G and 4999 of the Code.

Also, our attorneys prepare non-compete agreements to protect against improper competition from former employees and severance agreements to terminate unsatisfactory employment relationships.



## Corporate Law Leaders

**Jarrod J. Duffy**  
+14123942560  
jduffy@clarkhill.com

**Patrick Owens**  
+12146514796  
patrick.owens@clarkhillstrasburger.com

## Corporate Law Areas of Practice

- Closely Held Business Entities
- Corporate Finance
- Corporate Governance
- Crowdfunding & Unregistered Offerings
- E-Commerce & Technology
- Emerging Growth/Venture Capital
- Fund Formation & Compliance
- General Tax Planning
- Joint Ventures
- Mergers & Acquisitions
- Private Equity
- Securities Regulation
- Supply Chain Agreements
- Tax Exempt and Charitable Organizations
- Technology Protection and Transfer