

Discussions
to Include
New DOL Fee
Disclosure
Regs!



ASPPA Annual Conference

Gaylord National Resort & Convention Center • National Harbor, MD
October 17-20, 2010

Hot Topics

- EFAST2: The First Year in Review
- Creative 401(k) Testing and Correction Techniques
- The Business of Being a TPA; Billing, Collections and Ethics Related Issues
- Using Your Service Agreement and Other Best Practices
- Troubleshooting Participant Loan Issues
- Retirement Plan Options for Tax Exempt Entities
- DC Plan Takeover Issues



FEATURING:

Keynote Speaker
George F. Will





About ASPPA



ASPPA®

WORKING FOR AMERICA'S RETIREMENT

Since its inception in 1966, ASPPA (the American Society of Pension Professionals & Actuaries) has been integral in preserving, shaping and enhancing our nation's employer-sponsored retirement plan system. ASPPA membership is comprised of a network of professionals dedicated to the security of the employer-sponsored retirement plan system. Through its influential presence in Washington, DC and its dynamic

yet intensive credentialing and continuing education programs, ASPPA has become the prominent voice in the retirement plan industry. ASPPA is the only organization comprised exclusively of retirement plan professionals that actively advocates for legislative and regulatory changes to expand and improve the private pension system. ASPPA's elite membership has grown to approximately 7,500 retirement plan professionals who have chosen to be among the most dedicated in the industry.

Conference Overview

This conference will be held at Gaylord National Resort & Convention Center at National Harbor, MD. Attendees of this conference share quality time with representatives from every aspect of the retirement plan industry. This is an awesome learning opportunity attended by over 1,300 of your colleagues. Each year, there are new regulations and legislation to understand, new products and services on the market and new opportunities to increase your professional knowledge and enhance your business. It's a great opportunity to meet new friends and network with old ones. You'll also have a chance to visit over 80 vendor displays in the exhibit hall.

Annual Conference Committee Conference Co-Chairs

William G. Karbon, MSPA, COPA, CPC, QPA, CBIZ Benefits & Insurance Services, Inc., Lawrenceville, NJ
Charles M. Lax, Esq., APM, Maddin, Hauser, Wartell, Roth & Heller, P.C., Southfield, MI

Committee Members

Michael P. Coyne, Waldheger Coyne Company, L.P.A., Westlake, OH
Bernard E. Kaplan, CBIZ Tofias, Cambridge, MA
Howard P. Rosenfeld, MSPA, COPA, Rosenfeld/Tortu Retirement Planning Company, Inc., Tarrytown, NY
Jennifer Leigh Gibbs Swets, QPA, QKA, Goodman & Company, Virginia Beach, VA

ASPPA General Conferences Co-Chairs

Adam C. Pozek, QPA, QKA, QPFC, DWC Consultants, Inc., Essex, MA
Joanne Lawrence Smith, CMP, ASPPA, Arlington, VA

ASPPA Vice Chair for the Annual Conference

Kyla M. Keck, CPC, QPA, QKA, Retirement Plan Consultants, Inc., Knoxville, TN

Benefits of Attending

- Learn detailed information on the new DOL 408(b)(2) regulations.
- Keynote Address by George F. Will – “The Political Argument Today”
- Performance by the Capitol Steps
- 70 Interactive Workshops on Diverse, Educational Topics
- 25 Hours of ASPPA CPE Credit and up to 23 ERPA and JBEA CPE Credits including Core, Non-core and Ethics Credit
- Access to all Session Audio Recordings and Presentation Materials
- Over 80 Vendor Displays in the Exhibit Hall
- Numerous Networking Opportunities and *Lots and Lots of Fun!*

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Exhibit Hall

Come meet and network with professionals who work at the forefront of the industry! Activities in the exhibit hall will provide ample opportunity to discuss matters of interest with your peers and to visit with vendors.

Exhibit Hall Schedule

Sunday, October 17

5:45 p.m. – 7:00 p.m.

Monday, October 18

7:00 a.m. – 4:15 p.m.

Tuesday, October 19

7:15 a.m. – 4:00 p.m.

SUNDAY, OCTOBER 17, 2010

12:00 p.m. – 1:15 p.m.
Concurrent Workshops

Workshop 1: Using the Credit Balance after PPA

e c A

Actuary

During this session, we will review the rules of creating and using the credit balances. Through examples, we will review some of the challenges and nuances of the optional and deemed reductions. We will also cover complications of the timing of the various optional and deemed elections to use or reduce the balances based on final regulations.

Virginia C. Wentz, FSPA, COPA, CPC, Stephen H. Rosen & Associates, Inc., Haddonfield, NJ

Workshop 2: New Challenges in Pension Accounting for the Actuary, the Accountant and the Finance Executive

e nc

Actuary

During this session, we will discuss the following three topics:

- Where are FAS 87, 88, 158 etc. in the new Accounting Standards Codification?
- How does FAS 158 affect corporate equity?
- A new structure in corporate financial statements under discussion in the accounting community. Where might pension results be shown?

Richard Kutikoff, MSPA, COPA, Pacific Benefits Services, Sherman Oaks, CA

Workshop 3: When the QDRO is Worse than the Marriage

e nc

Actuary/Administrative/Consultant/Legal

When participants get divorced, retirement benefits are often at issue and must be divided. Plan administrators need to be very careful handling domestic relations orders served on retirement plans in order to protect participants and former spouses, as well as themselves. This session will cover the essential elements of dealing with QDROs and the complicated issues that can arise, including:

- What if there is a pre-nuptial agreement in place?
- What if there are previous divorces and previous QDROs covering one or both of the parties?
- What are the consequences of paying the wrong person or the wrong amount?
- What happens if either the participant or alternate payee passes away in the middle of the process?
- What happens if the value of a participant's account goes down (or up) while a QDRO is pending?

James C. Paul, APM, Downey Brand LLP, Sacramento, CA

JBEA Credit Information

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| c Core JBEA CPE Credit | p Professionalism/Ethics Credit |
| nc Non-Core JBEA CPE Credit | e ERPA Credit |
| n No JBEA CPE Credit | ne No ERPA Credit |

LEVEL

- A** Advanced

Workshop 4: Hardships & Other Distributions

e nc

Administrative/Consultant/Legal

All plans have to provide for the distribution of benefits and the plan document will describe when and what types of distributions are available. In addition to those distributions which take place at retirement or termination, hardships and in-service distributions are the most common. This presentation will focus on some of the different types of distributions available and the forms they may take. The regulations clearly indicate hardships are available from deferrals, but where do they indicate hardships are available from other sources? In addition, we will examine some of the correction methods available if mistakes are made along the way. As usual, Tom promises to try to 'throw' something else into the talk (other than a pension song).

Thomas E. Poje, DCS Inc. Retirement Group, Jacksonville, FL

Workshop 5: The Challenges of Successfully Buying and Selling a TPA Business

n ne

Business Owner

Almost everyone who owns an employee benefits service provider knows someone who has had a bad experience in buying or selling a business. This session will focus on why so many people have a poor experience and why others participate in a transaction that actually benefits both parties. In the course of the discussion, we will look at everything from pricing to structural and strategic issues. The result is a practical assessment of the process of buying and selling and what it takes to shift the odds in favor of creating a successful transaction.

Paul Kampner, TMark Associates, Ltd, Chicago, IL

Workshop 6: Multiple Employer Plans (including PEO plans)

e nc

Actuary/Administrative/Consultant/Legal

The rise of professional employee organizations (PEOs) and groups of employers that are not aggregated under tax law has led to an increase in multiple employer plans under section 413(c) of the Internal Revenue Code. These plans present interesting opportunities, but also complex administrative issues. This session will explore plan design

and administration issues unique to multiple employer plans and plans of PEOs, with clear analysis and plenty of examples.

S. Derrin Watson, Esq., SunGard Relius, Goleta, CA

Workshop 7: Recent Court Cases Affecting Actuaries and Administrators (e) (c)

This session will be an informative and entertaining program focusing on administrative and actuarial liability and conflicts based on the review of recent court cases and case studies. Alex will emphasize this with examples of improper plan design, operational and administrative errors, conflicts of interest and violation of professional ethics.

Alex M. Brucker, Esq., APM, Brucker & Morra, APC, Los Angeles, CA

1:15 p.m. – 1:30 p.m.
Beverage Break

1:30 p.m. – 2:45 p.m.
Concurrent Workshops

Workshop 8: Actuarial Assumptions for 2009 and 2010 Valuations (e) (c) (A)

Actuary

This session will cover the choices actuaries have in selecting actuarial assumptions for 2009 and 2010 plan years, including those assumptions that are dictated by the Pension Protection Act and those that are not dictated by the Pension Protection Act. The session will also cover funding methods that are permitted to be changed which have automatic approval and those methods that require IRS approval and what options are available in selecting funding methods.

Richard A. Block, MSPA, COPA, Block Consulting Actuaries, Inc., Manhattan Beach, CA

Workshop 9: Required Minimum Distribution Requirements for Defined Benefit Plans (e) (c) (A)

Actuary

The minimum distribution rules under a defined benefit plan are stated in the context of an annuity payment, based on the presumption that an annuity payout is the default method for distributing benefits from a defined benefit plan. This session will focus on the nuances of these rules including, for example, when modification to the annuity period is allowed, satisfying the requirement with annuity contracts, annuity commencement dates, etc.

Pamela C. Means, MSPA, COPA, QPA, QKA, Means & Associates, LLC/ERISA Compliance Associates, LLC, San Diego, CA



Workshop 10: DC Plan Takeovers Made (Not) Easy: New Client Problems, Corrections and Directions

(e) (nc)

Administrative/Business Owner/Consultant/Legal

Do you spend a lot of time on new client “cleanup” work? Should you? This session explores the scrubbing of a new client’s plan and how to provide direction for the plan’s future, starting with the conversion process. We will explore ordinary problems such as delinquent filings, the ubiquitous problem loan and various operational failures as well as problems you may not have considered before, such as successor fiduciary issues surrounding unrecognized prohibited transactions and the perils of poorly communicated auto-enrollment/escalation. The central theme will be the need for and ideal character of a new client leadership process.

Peter K. Swisher, CPC, QPA, Unified Trust Company, NA, Lexington, KY

JBEA Credit Information

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| c Core JBEA CPE Credit | p Professionalism/Ethics Credit |
| nc Non-Core JBEA CPE Credit | e ERPA Credit |
| n No JBEA CPE Credit | ne No ERPA Credit |

LEVEL

- A** Advanced

Workshop 11: Finding and Resolving Problems in Multi-Vendor 403(b) Plans **e nc**

Administrative/Consultant/Legal

This program focuses on those issues unique to 403(b) plans with multiple product vendors including orphan account administration, information sharing, transaction processing, differences in ERISA and ERISA-exempt plans and inconsistencies between the IRS and DOL interpretation on compliance matters. We will also look at best practice options.

Kristi Cook, M. Kristi Cook Attorney, Jenkintown, PA

Workshop 12: Securities Law and Retirement Plans **A**

Administrative/Business Owner/Consultant/Legal

Many transactions involving retirement plans implicate federal securities laws. During this session, we will explore a sampling of timely and relevant issues, both specific and general, such as these: May a TPA charge a fee based upon a percentage of assets held in the plan? Does Section 3(a)(2) of the Securities Act of 1933 exempt interests in multiple employer defined contribution plans? How can a TPA or other plan practitioner avoid unwittingly becoming involved in a violation of the federal securities laws? Come prepared for a lively discussion with everyone's participation welcomed.

John D. Hartness, Jr., APM, John D. Hartness, Jr. P.C., Norcross, GA

David H. Williams, Schiff Hardin Waite, Atlanta, GA

Workshop 13: Employment Law Primer for TPA

Business Owners **n ne**

Business Owner

As a business owner, you face a myriad of issues stemming from local, state and Federal laws governing the employer-employee relationship. Proper hiring, performance review and termination practices can protect your business from costly employment litigation. This session will review legal issues relating to the hiring process, workplace practices, employee review procedures and termination procedures. Our speaker will also discuss the advantages and disadvantages of employee manuals and the benefits of maintaining good personnel files.

John D. Rapoport, Marulli, Lindenbaum, LLP, New York, NY

Workshop 14: Brightwork Survey **n ne**

Over the last several months, ASPPA has worked with Brightwork Partners—a leading research-based consultancy firm based in Stamford, CT—to develop a comprehensive survey of TPA owners. The results speak for themselves. Participate in this informative seminar and you'll learn about key industry trends, best practices and what issues and concerns are on the minds of Third Party Administrators. This workshop features top line survey data plus a robust discussion. If you're a TPA owner, make plans to attend! *Merl Baker, Brightwork Partners, Stamford, CT*

2:45 p.m. – 3:00 p.m.
Beverage Break

3:00 p.m. – 4:00 p.m.

General Session 1: President's Welcome Address **n**

- Business Meeting
- Announcement of Educator of the Year
- Announcement of Rosenberg Award Winners
- Announcement of Eidson Award Winner

Sheldon H. Smith, Esq., APM,

Holme Roberts & Owen LLP, Denver, CO

4:00 p.m. – 5:40 p.m.

General Session 2: Washington Update **e c**

How will developments in the Nation's Capitol influence the design and administration of retirement and other benefit plans? What will be the impact of the new fee disclosure rules, the SEC's proposal to cap 12b-1 fees, and expected cash balance regulations? What additional developments should be expected? Join this session as ASPPA addresses issues of great concern to retirement plan professionals.

Brian H. Graff, Esq., APM, ASPPA, Arlington, VA

5:45 p.m. – 7:00 p.m.

President's Welcome Reception

7:00 p.m. – 11:00 p.m.

Buses to and from Downtown Washington, DC from the Gaylord National Resort & Convention Center

Plan a night on the town! We heard your suggestions and are now offering shuttle buses to take you and your guests to and from the hotel to a central location within Washington, DC to enjoy dinner or sightseeing in the city!

Roundtrip tickets are \$10/person – Purchase your tickets on the registration form.



MONDAY, OCTOBER 18, 2010

7:00 a.m. – 4:15 p.m.
Exhibit Hall Open

7:00 a.m. – 7:45 a.m.
Continental Breakfast in the Exhibit Hall

7:45 a.m. – 8:00 a.m.
Welcome and Introduction

8:00 a.m. – 9:00 a.m.
General Session 3: Keynote Speaker – *The Political Argument Today* n

America's foremost political commentator and columnist presents penetrating and incisive commentary on the Washington political scene, offering a glimpse into what the future holds for public affairs, public policy and American society.

George F. Will, US Newspaper Columnist, Journalist and Author

9:00 a.m. – 9:30 a.m.
Beverage Break in the Exhibit Hall

9:30 a.m. – 11:15 a.m.
General Session 4: Keeping Current e c

During this general session, you will be provided with a general update on legislation, regulations and other guidance from Treasury, IRS, DOL and PBGC, as well as court cases related to pension and ERISA issues.

Ilene H. Ferenczy, Esq., CPC, The Law Offices of Ilene H. Ferenczy, LLC, Atlanta, GA
S. Derrin Watson, Esq., SunGard Relius, Goleta, CA

11:15 a.m. – 11:45 a.m.
Beverage Break in the Exhibit Hall

11:45 a.m. – 1:00 p.m.
Concurrent Workshops

Workshop 15: Update on Completing the Schedule SB and PBGC Premium Filings e c

Actuary

This session will provide line by line instructions on completing the Schedule SB one year after the Pension Protection Act, as well as describing the calculations for filing and premium payment requirements for the PBGC premium. The panel will discuss preparing the calculations and completing the forms properly. This session will also shed light on any changes to the forms that may be made in the future.

Richard A. Block, MSPA, COPA,

Block Consulting Actuaries, Inc., Manhattan Beach, CA
Amy Viener, PBGC, Washington, DC

Workshop 16: Taking Shelter from the Storm: Insuring Your Liability Risks in Good Times and Bad n ne

Business Owner

Every day you manage the risks and money of other people. This exposes you and your assets to a variety of potential claims. Even if the claims are baseless, legal fees incurred defending against them can be substantial. Whether they are claims of fiduciary liability, mismanagement of funds or any other type of creative theory, you need to make certain you are protected. Proper insurance is the most effective risk transfer mechanism available. It is critical to tailor your insurance to protect against the specific exposures you face in your business. Through this program you will learn how to identify those risks, as well as the insurance available to you. We will also discuss the types of allegations claimants are currently bringing, where those claims may be trending and how to make sure you stay ahead of the curve.

Richard M. Mitchell, Maddin, Hauser, Wartell, Roth & Heller, PC, Southfield, MI

Workshop 17: Now That the Dust Has Settled – Post Regulation TPA Issues in 403(b) Plans e n

Administrative/Consultant/Legal

This program identifies the unique issues found in 403(b) plans that TPAs must be able to identify and address. Unresolved issues under the final IRS regulations and possible solutions, differences between DOL and IRS standards and when to apply, understanding different church plan rules and developing a methodology for simplifying and reducing administrative risks are the goals of this session.

Kristi Cook, M. Kristi Cook Attorney, Jenkintown, PA
Sherri M. Edelman, Internal Revenue Service, TE/GE Division, Washington, DC
Charles T. Petrasanta, Internal Revenue Service, New Haven, CT

Workshop 18: Client Communication/DC Plan

Take-Over Issues (e) (nc)

Administrative/Business Owner/Consultant/Legal

Takeover plan client communication: Setting expectations for the plan sponsor and the conversion staff during the plan takeover process is an often overlooked part of on-boarding new clients. This is the first extended contact that the client will have with your organization and so it is critical that everyone understands their role in the process. This session will cover required communication skills using takeover case studies covering issues including fee expectations, dealing with difficult clients, the “no” sandwich, internal hand-offs and timing.

Sarah Simoneaux, CPC, Simoneaux & Stroud Consulting Services, Mandeville, LA

Workshop 19: EFAST2: The First Year in Review (e) (nc)

Actuary/Administrative

EFAST2 created business challenges – not only for internal processes, but also with regard to changes to the forms and instructions. This session will focus on:

- How the first cycle with EFAST2 worked for both service providers and the government;
- What enforcement activities have been initiated by taking advantage of the easier access to data and what programs might be on the horizon; and
- What have we learned and what still needs resolution.

Scott C. Albert, QPA, US Department of Labor, Washington, DC

Janice M. Wegesin, CPC, QPA, JMW Consulting, Inc., Petoskey, MI

Workshop 20: Cash Balance Plans: A Litigation Update and Business Perspective (e) (c)

Business Owner/Consultant/Legal

Come to this session and learn about the most important court cases that have come down over the past several years and what they mean to you on a practical level. The speakers will also address business issues for professional organizations --- such as law firms, accounting firms and medical groups --- and other types of organizations with “partnership-type” ownership that sponsor cash balance plans. How do these entities best structure their business agreements to deal with the unique issues presented by cash balance plans, such as underfunding, overfunding and partner buyouts.

Nicholas J. White, Esq., Musick, Peeler & Garrett LLP, Los Angeles, CA

Bruce L. Ashton, Esq., APM, Reish & Reicher, Los Angeles, CA

JBEA Credit Information

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| (c) Core JBEA CPE Credit | (p) Professionalism/Ethics Credit |
| (nc) Non-Core JBEA CPE Credit | (e) ERPA Credit |
| (n) No JBEA CPE Credit | (ne) No ERPA Credit |

LEVEL

- (A) Advanced

Workshop 21: Informal Defined Benefit Session (no recording, no IRS) (e) (c)

Actuary

Join ACOPA colleagues for a discussion of the topic of the moment – whatever that might be. This is an audience participation session where you bring your questions and we all explore possible answers, alternatives and approaches to resolution.

Marjorie R. Martin, MSPA, COPA, Montville, NJ

Michael B. Preston, MSPA, COPA, Preston Actuarial Services, Inc., Orland, CA

1:00 p.m. – 2:15 p.m.

Buffet Lunch in the Exhibit Hall

2:30 p.m. – 3:45 p.m.

Concurrent Workshops

Workshop 22: Designing DB Plans Post PPA (e) (c) (A)

Actuary

PPA has brought about new challenges in designing defined benefit plans. This session will address these challenges by reviewing the plan design impact of PPA’s changes to deduction limits, combined plan limits and the requirements of a “statutory hybrid plan.” Further, plan design must also consider the contribution volatility caused by fluctuating valuation interest rates, funding whipsaw and effective use of credit balances.

Lawrence Deutsch, MSPA, COPA, Larry Deutsch Penguin Consulting and Design, Fallbrook, CA

Workshop 23: Cash Balance Plans: Will we have the New Hybrid Plan Regulations or Will we Still be Waiting for Godot? (e) (c) (A)

Actuary

If the hybrid plan regulations have been issued, the speakers will address the issues of how practitioners should be interpreting and implementing them. Regulations or not, the speakers will survey the available guidance and suggest best practices, along with potential tricks and traps for cash balance plans. They will also discuss crediting rates, non-

discrimination implications, recent court cases, compliance challenges and design issues for partnerships and other professional groups

Kevin J. Donovan, MSPA, COPA, Pinnacle Plan Design, LLC, Tucson, AZ

Andrew W. Ferguson, MSPA, COPA, Altman & Cronin Benefit Consultants, LLC, San Francisco, CA

Workshop 24: Creative 401(k) Testing and Correction Techniques (e) (nc)

Administrative/Consultant

401(k) testing is a critical part of the compliance component. This session will explore the many testing options available to plan sponsors that can result in lower corrective distributions and enhance your value as a service provider. Topics to be covered include:

- Creative QNEC's
- Shifting Strategies for Deferrals and QNEC's
- Comparing Compensation Alternatives for Testing
- Excludable Employee Testing Options
- Proactive Plan Design Ideas

Now is the time to get prepared for the testing season ahead. Learn about the latest developments and proven techniques.
Craig P. Hoffman, Esq., APM, ASPPA, Arlington, VA
Kimberly Ann Radaker, CPC, QPA, QKA, Trophy Club, TX

Workshop 25: Ethical Dilemmas – Mental Conflicts and Moral Imperatives in Being a Benefits Professional (e) (c) (p)

Actuary/Administrative/Business Owner/Consultant/Legal

Representation of employee benefits fiduciaries, sponsors and plans presents an assortment of ethical issues for practitioners. How far is too far in helping a client weigh the costs and benefits of a certain course of action? Is it always appropriate to rely on client-provided information without asking questions? Can inaction in the face of questionable client conduct pose ethical concerns for practitioners? In this session, Sheldon and Sal will consider actual scenarios and provide insight into identifying the ethical considerations at play and arriving at an appropriate course of action.

Sheldon H. Smith, Esq., APM, Holme Roberts & Owen LLP, Denver, CO

Sal L. Tripodi, Esq., APM, TRI Pension Services, Highlands Ranch, CO

Workshop 26: EPCRS Case Studies: Fixing a Broken Plan in the Real World (e) (c)

Actuary/Administrative/Business Owner/Consultant/Legal

This session will include an overview of EPCRS but will focus primarily on applying its provisions to real world situations. It will include an analysis of various failures through the use of case studies and possible ways to resolve failures for which EPCRS provides no specific guidance. Examples would be where a plan drafted as a Safe Harbor Plan fails to timely issue a Safe Harbor Notice; where the employer fails to make its required Safe Harbor contribution and where the failure is the result of a scrivener's error. This session will use case studies to illustrate situations in which a plan may be better off proposing a correction method other than one specifically described for the failure in EPCRS and ways in which the plan can buttress its argument to the IRS under the VCP. Finally, the session will cover how to deal with the dreaded situation where a failure is discovered upon audit, particularly where the parties disagree as to whether there is indeed even a failure, the ramifications of the failure and/or just about everything.

Joyce I. Kahn, Internal Revenue Service, Washington, DC
Pam D. Perdue, Summers Compton & Wells, P.C., St. Louis, MO

Workshop 27: 403(b) Plan Documents (e) (nc)

Administrative/Consultant/Legal

Sponsors of 403(b) arrangements have been required to have written plan documents in place since 2009. While the requirements are not as stringent as for qualified plans under Code Section 401(9)(a), the need to formalize the 403(b) arrangement in writing has had some consequences for industry providers. The IRS has gone further announcing both a pre-approved program, which should be operational by the time of the Conference and a Determination Letter Program for individually designed plans. Come learn about the pros and cons of each program and which might work better for your clients.

Richard A. Hochman, Esq., APM, McKay Hochman Company, Inc., Butler, NJ

Andrew E. Zuckerman, Esq., Internal Revenue Service, Washington, DC

JBEA Credit Information

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| (c) Core JBEA CPE Credit | (p) Professionalism/Ethics Credit |
| (nc) Non-Core JBEA CPE Credit | (e) ERPA Credit |
| (n) No JBEA CPE Credit | (ne) No ERPA Credit |

LEVEL

- (A) Advanced

Workshop 28: Social Networking/Cheap Technology

n ne

Actuary/Administrative/Business Owner/Consultant/Legal

Whether you are a road warrior or not, the rapid evolution of technology impacts the way you communicate with and service your clients. With the flood of information available, how do you determine the most effective way to catch the attention of your clients and prospects?

*Yannis P. Koumantaros, QPA, QKA,
Spectrum Pension Consultants, Inc., Tacoma, WA
Adam C. Pozek, QPA, QKA, QPFC,
DWC Consultants, Inc., Essex, MA*

3:45 p.m. – 4:15 p.m.

Beverage Break in the Exhibit Hall

4:15 p.m. – 5:30 p.m.

Concurrent Workshops

Workshop 29: Issues Related to End of Year Valuations

e c A

Actuary

Although small plans are permitted to have valuation dates other than the first day of the plan year, most of the regulations and other guidance that has been offered by the IRS pertains specifically to beginning of the year valuations. Many have opted to change their valuation dates to the first day of the plan year while others have continued to use end of year valuation dates. This session will provide insight into the practical approach that is being taken to comply with the requirements of the Pension Protection Act for plans that do not have beginning of the year valuation dates in the absence of specific guidance.

Michael B. Preston, MSPA, COPA, Preston Actuarial Services, Inc., Orland, CA

Workshop 30: DB Regulatory Update

e c A

Actuary

Learn about the latest DB regulations... By the time the conference starts, we should have proposed and final hybrid plan regulations...some final funding and benefit restriction regulations and, who knows, maybe some proposed deduction regulations. Can you imagine the fun we can have?!?

*Thomas J. Finnegan, MSPA, COPA, CPC, QPA,
The Savitz Organization, Inc., Philadelphia, PA*

Workshop 31: Ongoing Litigation about Fees, Expenses and Revenue Sharing

e nc

Business Owner/Consultant/Legal

Fees and expenses continue to be the main cause of 401(k)

litigation and that is likely to continue into the indefinite future. One reason for the controversy is that much and perhaps most, of the money is paid indirectly from investments to service providers. Those indirect payments are commonly known as “revenue sharing.” Unfortunately, many plan sponsors either are not aware of the revenue sharing, have not calculated the dollar amounts or have not compared the costs to the value of the services. This program covers the status of the litigation and the steps that should be taken to minimize risk.

*C. Frederick Reish, Esq., APM, Reish & Reicher,
Los Angeles, CA*

Workshop 32: Retirement: The New “Normal”

e nc

Administrative/Business Owner/Consultant/Legal

The original model for a comfortable retirement has changed dramatically. This session will revisit it in light of proliferation of 401(k) plans, the market turmoil of 2008 and 2009, the demise of defined benefit plans, the surging interest in automatic plan designs and a focus on retirement income.

Nevin E. Adams, PLANSPONSOR Magazine, Stamford, CT

Workshop 33: The Business of Being a TPA

n ne

Business Owner

As the retirement plan industry evolves through new technology and increasing regulation, TPAs must continually review their business practices to ensure they remain compliant and competitive while maintaining the value proposition that made them successful. In this session, we will review several areas that are key to managing your business and shaping your reputation in the marketplace including:

- Balancing quality and efficiency
- Using new technology without losing that personal touch
- Training and developing employees and encouraging professional credentials
- Communicating billing practices without “nickel and diming”
- Reviewing insurance and managing risk

*Barry Max Levy, QKA, Levy & Associates,
Fort Lauderdale, FL*

*Adam C. Pozek, QPA, QKA, QPFC,
DWC Consultants, Inc., Essex, MA*

JBEA Credit Information

c Core JBEA CPE Credit

nc Non-Core JBEA CPE Credit

n No JBEA CPE Credit

p Professionalism/Ethics Credit

e ERPA Credit

ne No ERPA Credit

LEVEL

A Advanced



Workshop 35: The DOL's New Fee Disclosure Rules

e nc

Interim final regulations under ERISA Section 408(b)(2) were issued by the DOL on July 16, 2010, which require certain service providers to employee pension plans, including fiduciaries, actuaries, record keepers, consultants and others, to disclose information to assist plan fiduciaries in assessing the reasonableness of contracts and arrangements, including compensation and conflicts of interest that may affect their performance of services. This workshop will cover these recent regulations and their implications.

*Susan P. Serota, Pillsbury Winthrop Shaw Pittman LLP,
New York, NY
Government Speaker TBD*

5:30 p.m. – 7:00 p.m.
PAC Reception

6:00 p.m. – 10:00 p.m.
Buses to and from Downtown Washington, DC from the Gaylord National Resort & Convention Center

Plan a night on the town! We heard your suggestions and are now offering shuttle buses to take you and your guests to and from the hotel to a central location within Washington, DC to enjoy dinner or sightseeing in the city!

Roundtrip tickets are \$10/person – Purchase your tickets on the registration form

7:15 p.m. – 11:00 p.m.
Monuments at Nights Tour

Come take advantage of a tour of the beautiful Washington Monuments shining their brightest ... after dark. Attendees will visit the Lincoln Memorial, Jefferson Memorial, Washington Monument, FDR Memorial and others while enjoying wine and cheese on the tour bus. Attendance is limited and the cost is \$65 per person. Sign up for this tour on the registration form. Reserve your seat now!

Workshop 34: So Now You're Retired: What Risks Do You Face with Your Retirement? **n ne**

Administrative/Consultant/Legal

The risks faced by the retirees in investing, receiving distributions and leaving a legacy upon death will be explored. In comparing lump sum distributions with annuity distributions, the common economic risks will be reviewed including longevity risk, investment risk and inflation risk. Other risks facing the elderly population will be highlighted; such as issues when mental capacity diminishes and some of the states' filial laws requiring one family member to help pay for the long term medical care of another family member. This session will help pension consultants understand the pros and cons of each type of distribution option and will help them advise their clients on appropriate options to include in their plan designs.

*Michael E. Callahan, FSPA, COPA, CPC, Pentec, Inc.,
Southington, CT*

*Barry Kozak, The John Marshall Law School,
Chicago, IL*

TUESDAY, OCTOBER 19, 2010

7:15 a.m. – 4:00 p.m.

Exhibit Hall Open

7:15 a.m. – 8:15 a.m.

Continental Breakfast in the Exhibit Hall

8:15 a.m. – 10:00 a.m.

General Session 5: Governmental Update (e) (c)

Come hear reports from government officials on what's happening in today's government.

Phyllis C. Borzi, Esq., US Department of Labor, Washington, DC (invited)

Brian H. Graff, Esq., APM, ASPPA, Arlington, VA

J. Mark Iwry, Esq., Department of Treasury, Washington, DC

Michael Julianelle, Internal Revenue Service, Washington, DC

10:00 a.m. – 10:30 a.m.

Beverage Break in the Exhibit Hall

10:30 a.m. – 11:45 a.m.

Concurrent Workshops

Workshop 36: DB/DC Combo Plan Design (e) (c)

Actuary

This session will provide the mechanics and techniques used to design DB/DC combination plans. Combo studies will be part of this session. This session will also review applicable deduction and funding rules, nondiscrimination rules and 401(a)(26) requirements.

Kevin J. Donovan, MSPA, COPA, Pinnacle Plan Design, LLC, Tucson, AZ

Mark K. Dunbar, MSPA, COPA, Dunbar, Bender & Zapf, Inc., Pittsburgh, PA

Workshop 37: DB Plan Document Issues (e) (c)

Actuary

This session will cover issues relating to pre-approved plan and individually designed DB plan restatements; interim amendments (e.g., the HEART Act and final IRC Section 436 regulations), scrivener errors and issues relating to determination letter requests.

Robert M. Richter, Esq., APM, SunGard Corbel LLC, Jacksonville, FL

Andrew E. Zuckerman, Esq., Internal Revenue Service, Washington, DC

JBEA Credit Information

(c) Core JBEA CPE Credit

(nc) Non-Core JBEA CPE Credit

(n) No JBEA CPE Credit

(p) Professionalism/Ethics Credit

(e) ERPA Credit

(ne) No ERPA Credit

LEVEL

(A) Advanced

Workshop 38: Using Your Service Agreement and Other Best Practices (e) (nc)

Actuary/Administrative/Business Owner/Consultant/Legal

Pension professionals have a unique opportunity to educate their clients and protect their practices through a well-structured services agreement and use of checklists and written diagnostic tools. This session provides:

- Sample provisions for TPA service agreements.
- A discussion of the use of diagnostic checklists to improve compliance.
- Tips for pension administrators to improve customer relations while at the same time limiting exposure for administrative mistakes.

Al Holifield, Holifield & Associates, PC, Knoxville, TN

Workshop 39: Compensation Issues for Plans (e) (c)

Actuary/Administrative/Consultant/Legal

This session will focus on the different definitions of compensation that are available and often utilized by qualified retirement plans. Furthermore, we will consider the myriad of administrative issues and problems that are created when plans fail to utilize appropriate definitions of compensation. It is also suggested that issues concerning the determination of compensation for partners, shareholder employees and the self-employed be considered.

Joy M. Mercer, Joy M. Mercer, PC, Chatham, NJ

Richard M. Perlin, CPC, QPA, QKA, E.R.I.S.A., Inc., Skokie, IL

Workshop 40: Troubleshooting Participant Loan Issues

(e) (c)

Administrative/Legal

By what date must the first payment commence? From what date does the plan measure the 5-year repayment period? When does refinancing violate the loan limits? Minimizing the employer's risk for failing to withhold? Necessary and helpful plan and loan policy language? Who can be excluded from participant loans? We will also cover exhausting loan option for hardship distribution; universal availability requirement; participant loan litigation; correcting participant loan problems; loan offset vs. deemed distribution; proper reporting of loans defaults; and leaves of absence.

Stephen W. Forbes, SunGard Corbel LLC, Littleton, CO

Workshop 41: Lifetime Income for DC Participants

n ne

Administrative/Business Owner/Consultant/Legal

Retirement is the time to think of economic security and not worry about the variances of the market. Hear about one method to structure lifetime income from the account balances if defined contribution plans are IRAs.

Michael E. Callahan, FSPA, COPA, CPC, Pentec, Inc., Southington, CT

Workshop 42: Ethics, Its Application to the Retirement Profession

e c p

Actuary/Administrative/Business Owner/Consultant/Legal

Ethics is a ubiquitous topic; however, the topic still raises more questions than answers. The presentation will begin with a definition of ethics and progress to its application to the retirement profession, with a special focus on ASPPA's perspective. The presentation will examine why people make unethical choices and will explore the potential of teaching integrity and ethics in the retirement professional's workplace. The presentation will end with an open discussion of common situations requiring an ethical decision, which promises to be eye opening. This session is a great way to earn your ASPPA Ethics CPE credits.

Charles J. Klose, FSPA, COPA, CPC, The Vanguard Group, Valley Forge, PA

11:45 a.m. – 2:00 p.m.

Lunch with the Capitol Steps

The Capitol Steps began as a group of Senate staffers who set out to satirize the very people and places that employed them. They put the MOCK in Democracy.

2:15 p.m. – 3:30 p.m.

Concurrent Workshops

Workshop 43: Funding Patterns – Contribution

e c A

Actuary

Funding Patterns – Contribution Consulting under PPA has become very difficult. During this session, we will explore funding & liability patterns, avoiding benefit restrictions, use of balances, termination issues, 415 issues and what contribution recommendation(s) to make to a client. The session will be non-actuarial in nature and intended for administrators, consultants and marketers who work on defined benefit plans.

George J. Taylor, MSPA, COPA, ARIS Corporation, Muncy, PA

Workshop 44: Benefit Restrictions Under 436

e c

Actuary

2010 is the third year of benefit restrictions...so what more can we learn? Turns out we can learn plenty. By the time the conference starts, we should have new final regulations answering some of the inconsistencies from earlier guidance...we can deal with problems arising from the proposed regulations regarding recalculation of AFTAP and other real life problems implementing the restrictions. Don't be the last on your block to really understand the restrictions.

Thomas J. Finnegan, MSPA, COPA, CPC, QPA, The Savitz Organization, Inc., Philadelphia, PA

Workshop 45: Government Plan Compliance Issues

nc ne

Administrative/Consultant/Legal

The IRS has become more proactive in focusing on compliance issues related to governmental plans. Although governmental plans are exempt from many requirements of ERISA and the Code, there are still a myriad of Code and state law requirements applicable to these plans. This session will address the ERISA and Code requirements and identify potential state law concerns applicable to governmental plans that are qualified under Code Section 401(a).

William G. Karbon, MSPA, COPA, CPC, QPA, CBIZ Benefits & Insurance Services, Inc., Lawrenceville, NJ

Workshop 46: Case Studies Under the Voluntary

Fiduciary Correction Program

e nc

Administrative/Consultant/Legal

The Voluntary Fiduciary Correction Program is a very important mechanism for dealing with late deposits and other fiduciary issues. However, it does operate differently than the Internal Revenue Service's Employee Plans Compliance Resolution System. This program will provide advice concerning the application process and common filing deficiencies that can delay the process. It will also cover special considerations in dealing with the Department of Labor, including possible civil and criminal penalties.

*Amelia "Amy" M. Klein, Esq., Bond, Schoeneck & King, PLLC, Albany, NY
Caroline Sullivan, US Department of Labor, Washington, DC*

Workshop 47: A Year in the Life of a DB Plan for a DC Practitioner (e) (c)

Administrative/Consultant/Legal

You are a defined contribution specialist and are handed a defined benefit plan. The plan's actuary will deal with the contribution requirement and deduction limit calculations. But the day-to-day administration still must be dealt with. What must be done and what are the key dates? This session will cover work that must be performed over the course of a plan year (no actuarial calculations here), including



communications with the employer and the employees, issues with regard to collection of data and government filings that apply only to defined benefit plans. In addition, we will cover the information that must be provided to the actuary in order for them to determine the contribution requirements, recommended contribution, maximum deductible contribution and plan certifications.

David B. Farber, MSPA, COPA, Santa Barbara, CA

Workshop 48: Inadvertent Fiduciary Status: Common Pitfalls for Service Providers and Opportunities for Acknowledged Fiduciaries (n) (ne)

Administrative/Business Owner/Consultant/Legal

Recent trends in examination, enforcement and litigation reveal an area of significant exposure for registered representatives, insurance agents and service providers who may have become inadvertent or unacknowledged functional fiduciaries. Specifically, inadvertent fiduciary status can give rise to violations of ERISA's prohibited transaction rules, subject the broker/agent to personal liability and leave their firm exposed to significant penalties, including disgorgement and excise taxes. During this session, we will explore the various ways in which one can become a functional fiduciary and provide guidance on how to avoid fiduciary-related pitfalls. The topics addressed will include: investment advice; discretion over plan assets or administration; fiduciary warranty; emerging service models and trends to shift fiduciary risk.

Jason C. Roberts, Reish & Reicher, Los Angeles, CA

Workshop 49: Beyond the Paperless Office: Technology Integration Strategies (n) (ne)

Administrative/Business Owner

TPAs who leverage technology have consistently been successful in our tech-dependent profession. Now more than ever, technology will be the success differentiator for TPAs. Go beyond valuation, document and tracking systems to the next level of technology needed to remain competitive in an increasingly commoditized business. Learn the advantages and pitfalls of an internet-based office, how integration of processes and data will be essential to TPA firms and how the revolution in "socialnomics" can raise the visibility of your firm and help to recruit new talent.

Sarah Simoneaux, CPC, Simoneaux & Stroud Consulting Services, Mandeville, LA

3:30 p.m. – 4:00 p.m.

Beverage Break in the Exhibit Hall

4:00 p.m. – 5:15 p.m.

Concurrent Workshops

Workshop 50: Qualification Standards and Joint Board Regulation Update (c) (ne) (p)

Actuary

This session will begin with a brief overview of the Qualification Standards which apply to all ASPPA actuaries. Then this session will review the practical questions that have come up since the Qualification Standards became effective. The second part of the session will review the proposed (or final) Joint Board for Enrolled Actuaries regulations.

Karen Smith, MSPA, COPA, Nova 401(k) Associates, Houston, TX

Workshop 51: Restricted Payments from DB Plans

(e) (c) (A)

Actuary

During this session, we will review the benefit payment restrictions for HCEs under 401(a)(4), as well as the general benefit restrictions in Section 436 of PPA. We will discuss what they are, when they apply, how they integrate with required minimum distributions, the communications required to employees when restrictions apply and will discuss potential remedies.

Norman Levinrad, FSPA, COPA, CPC,

Summit Benefit & Actuarial Services, Inc., Eugene, OR

JBEA Credit Information

- (c) Core JBEA CPE Credit
- (nc) Non-Core JBEA CPE Credit
- (n) No JBEA CPE Credit
- (p) Professionalism/Ethics Credit
- (e) ERPA Credit
- (ne) No ERPA Credit

LEVEL

- (A) Advanced



aWorkshop 55: Advanced Plan Designs Including Plan Designs for Professional Service Firms (e) (c)

Actuary/Administrative/Consultant/Legal

Medical and dental practices, accounting firms and law firms share similar characteristics that lead to similar concerns regarding retirement plan design and administration. This session will explore plan design issues for both DC and DB plans and solutions for professional practices and discuss the non-plan considerations (such as compensation schemes, management issues and succession planning) that often influence plan design decisions.

Lorraine Dorsa, Dorsa Consulting, Inc., Ponte Vedra Beach, FL

Workshop 56: Hiring, Developing and Incentivizing the Next Gen Employee (n) (ne)

Actuary/Administrative/Business Owner/Consultant/Legal

Every generation believes the generations that succeed them will ruin the economic output previously created. It is human nature. However, with the rapid evolution of technology, communication methods and the global marketplace, companies need to continue to attract and retain the best talent. Whether it is an employer or employee's market, how can a business get the best people, keep them and maximize it's economic output? In this session, we will discuss:

- Reasons your business should care
- Investing in and understanding the objectives of the Next Gen employee
- Allocation strategies utilizing time, money and people
- Training and education in the 21st Century
- Sources to reference and adapt

Yannis P. Koumantaros, QPA, QKA, Spectrum Pension Consultants, Inc., Tacoma, WA

5:30 p.m. - 6:30 p.m.

Generation Exchange Reception

6:30 p.m. - 9:30 p.m.

Party on the Potomac

All Aboard! Wanna just get away? Board the SS Majestic – for a memorable vacation without leaving the hotel! The ballroom will be transformed into a cruise ship atmosphere to include several vignettes – a casino, arcade, live entertainment and an awesome cruise buffet!

Workshop 52: Advance Safe Harbor Issues (e) (nc)

Administrative/Consultant/Legal

Safe harbor 401(k) plan design and administration has increased in complexity significantly since its debut in 1999. In the 10+ years of its existence, rules have emerged on how to discontinue contributions and we have seen the christening of a new variation on the theme with the Qualified Automatic Contribution Arrangement (QACA) beginning in 2008. Not to be left out of the party, the DB(k) now offers a means of achieving the safe harbor in part by providing a minimum defined benefit. In this session, we will discuss this evolution and consider how to use these tools when designing plans. We will also review some of the common traps that await the unwary.

Robert M. Kaplan, CPC, QPA, ING, Windsor, CT

Workshop 53: Plan Conversions (e) (nc)

Administrative/Business Owner/Consultant/Legal

What should a TPA review when taking over an existing plan? How far back should this review extend? If errors are uncovered, how should they be handled? Document and operational issues are considered. Almost all takeovers occur in the middle of a plan year. Where does the responsibility of the old TPA end and the new one beginning. Can these responsibilities overlap?

Richard M. Perlin, CPC, QPA, QKA, E.R.I.S.A., Inc., Skokie, IL

Workshop 54: To Convert or Not to Convert, That's the Question (e) (nc)

Administrative/Business Owner/Consultant/Legal

During this session, you will learn how to assist clients in making the decision to convert traditional IRAs to Roth IRAs, determine when to pay the tax and decide whether to take in-service distributions from retirement plans, if possible, in order to avail themselves of the conversion. There will also be a discussion of any available updates on "in-plan" conversions as outlined in the American Workers State Business Relief Act of 2010.

Susan D. Diehl, Penserv Plan Services Inc., Horsham, PA

WEDNESDAY, OCTOBER 20, 2010

7:00 a.m. – 8:00 a.m.

Continental Breakfast

6:45 a.m. – 8:00 a.m.

Continental Breakfast for Actuaries

8:00 a.m. – 9:15 a.m.

Concurrent Workshops

Workshop 57: Plan Termination Issues, DB & DC e c
Actuary

The purpose of this session is to provide insight into the plan termination process for both defined benefit and defined contribution plans. We will also discuss important issues regarding the termination of plans.

Kurt F. Piper, MSPA, COPA, Piper Pension & Profit Sharing, Venice, CA

Workshop 58: Timing and Content of DB Notices and Elections e c
Actuary

PPA has greatly added to the need for written notices to various parties. Employers need to notify actuaries of elections. Employees must receive various notices of benefit restrictions and funding status. This session will cover the timing and content of the various notices and will discuss the opportunities and pitfalls to watch.

James E. Holland, Jr., Cheiron, McLean, VA

JBEA Credit Information

- | | |
|------------------------------------------|----------------------------------------------|
| c Core JBEA CPE Credit | p Professionalism/Ethics Credit |
| nc Non-Core JBEA CPE Credit | e ERPA Credit |
| n No JBEA CPE Credit | ne No ERPA Credit |

LEVEL

- A Advanced

Workshop 59: Hot Topics in International Benefits

nc ne

Actuary/Administrative/Consultant/Legal

We will hit the highlights on myriad current international benefit plan issues, including mobile employees, Puerto Rico plans, global pension fund governance, US deductions for contributions to foreign plans, cross-border pension plans, cross-border pension investment, third country national plans, ERISA issues for nonqualified plans, ERISA issues for non-US investment and European cross-border pension developments.

David W. Powell, Groom Law Group, Washington, DC

Workshop 60: Closing Down a Plan for a Bankrupt or a Failing Company e c

Actuary/Administrative/Consultant/Legal

When a company fails, the retirement plan is frequently an afterthought. The TPA can play a critical role in seeing that the plan is terminated appropriately and that plan participants receive their benefits. This includes chasing after plan assets and records that have “disappeared”, the need to keep plan participants informed and how (and whether) the TPA can be paid. Some of the procedures may take the TPA out if its comfort level! This session will also cover orphan plans and how firms can untangle these plans following DOL guidance.

David M. Lipkin, MSPA, COPA, Metro Benefits, Inc., Pittsburgh, PA

James C. Paul, APM, Downey Brand LLP, Sacramento, CA

Workshop 61: Retirement Plan Options for Tax Exempt Entities e nc

Administrative/Consultant/Legal

There are unusual planning opportunities available to state universities, public school districts and private tax exempt employers through the creative use of the variety of retirement plans available to them and the manner in which they are (or are not) aggregated. We will discuss the practical application of combining 403(b), 401(a), 457(b) and 457(f) for these employers.

Robert J. Toth, Jr., Applied Pension Professionals, Fort Wayne, IN



Workshop 62: The New World: Building Enterprise Value for Retirement Plan Service Firms and Their Professionals (n ne)

Business Owner

A brief review of how retirement plan service firms are viewed and valued – and what can be done about it –

- What Are You?
- Protect What You Have
- Grow Your Value
- Control Your Destiny

Ward M. Harris, McHenry Partners, LLC, Lafayette, CA

Workshop 63: Corporate Social Responsibility: A Matter of Making Ethical Decisions (n p)

This session will focus on the subject of corporate social responsibility (CSR) and how it encompasses economic, legal, ethical and philanthropic components in today's business environment. Today's professional pension managers must be keenly aware of the role of ethics in the dynamic process of decision making, as well as its function in creating organizational cultures that will enhance the industry. Various approaches to ethical decision making will be presented. Those present will be invited to participate in a discussion of the vital role that pension plan managers can play in a stakeholder model of business.

Gerilyn M. Miller, Indiana University-Purdue University, Fort Wayne, IN

9:15 a.m. – 9:30 a.m.

Beverage Break

9:30 a.m. – 10:45 a.m.

Concurrent Workshops

Workshop 64: Life Insurance in Defined Benefit Plans

(e c A)

Actuary

Several changes made to the law and IRS interpretations affect the way life insurance may be used and valued in Defined Benefit plans. Included topics: Accounting for insured death benefits under Final Section 430 Regulations; continued applicability of Revenue Ruling 74-307 and incidental maximums under PPA; effect on life insurance incidental limits caused by changing a plan's normal retirement age.

Clifford J. Woodhall, MSPA, COPA, CPC, American National Insurance Company, Galveston, TX

Workshop 65: Retirement Plans in a Slow Recovering Economy (e nc)

Actuary/Administrative/Business Owner/Consultant/Legal

As the economy begins to recover, employers will begin to call back laid off employees or consider hiring leased or temporary workers. Employers who suspended contributions will start to consider contributing again and may be incentivized by rising tax rates. This session will cover some of the issues that will confront sponsors in a slow recovering economy.

Mark A. Yahoudy, RSM McGladrey, Inc., Chicago, IL

Workshop 66: IRS Critical Audit Initiatives Priorities

(e nc)

Actuary/Administrative/Consultant/Legal

The overriding objective of the EP examination program is developing and integrating appropriate compliance and enforcement programs in a way that will have a positive impact on the retirement plan system. As part of this process, each year the Employee Plans function of the Internal Revenue Service uses a number of techniques to identify appropriate plans to audit and appropriate issues to review. In this session, our speakers will discuss the Service's current initiatives and priorities.

*Michael P. Coyne, Waldheger Coyne, A Legal Professional Association, Cleveland, OH
Monika A. Templeman, Esq., Internal Revenue Service, Baltimore, MD*

Workshop 67: Davis-Bacon Prevailing Wage Retirement Plans (e nc A)

Actuary/Administrative/Consultant

The Davis-Bacon Act was enacted in the 1930's to prevent unfair labor practices for work involving nonunion employees. It requires that employees working on certain government-funded construction projects be paid a "prevailing wage." Thirty-five states also have "little Davis-Bacon Acts". The prevailing wage consists of both wages and certain fringe benefits. Contributions to a prevailing wage pension plan count towards the prevailing rate and save both the employer and the employee FICA and other payroll taxes. Our speaker will review how Davis-Bacon plans differ from other qualified retirement plans, plan design considerations and plan administration issues.

Richard A. Naegele, Wickens, Herzer & Panza, Avon, OH



Workshop 68: What Auditors are Finding When They Look Under the Rug (e) (nc)

Administrative/Consultant/Legal

No audit is exactly the same, but CPAs are finding some common errors in plan accounting and administration during their audits of large plan financial statements. During this session, we will explore these commonalities and provide some suggestions for what administrators can do to reduce or eliminate the problems, headaches and additional costs that they cause. Also included will be some helpful tips on improving your relationship with the auditor, what to do when neither side will budge and how you can coach the plan sponsor through an efficient audit.

CariAnn J. Todd, BeachFleischman PC, Tucson, AZ

Workshop 69: How the New IRS Tax Return Preparer Registration Program Affects You (e) (nc)

Also, the description of the session should include “The New IRS Tax Return Preparer Registration Program is on a fast track and will be in place for filing 2010 returns. As a retirement plan return preparer how will you be impacted? Learn about the application, testing, continuing education and other requirements of the IRS in order to comply.

Charles M. Lax, Esq., APM, Maddin, Hauser, Wartell, Roth & Heller, P.C., Southfield, MI
Government Speaker TBD

Workshop 70: IRS/Treasury Q&A – Defined Benefits (e) (c) (A)

Please bring your questions with you or e-mail them to conferences@asppa.org.

Thomas J. Finnegan, MSPA, COPA, CPC, QPA, The Savitz Organization, Inc., Philadelphia, PA

Linda Marshall, Internal Revenue Service, Washington, DC
Harlan Weller, Department of Treasury, Washington, DC

10:45 a.m. – 11:00 a.m.

Beverage Break

11:00 a.m. – 12:40 p.m.

General Session 6: IRS/Treasury Q&A – Defined Contribution Plans (e) (nc)

Please bring your questions with you or e-mail them to conferences@asppa.org.

William K. Bortz, Department of Treasury, Washington, DC
Ilene H. Ferenczy, Esq., CPC, The Law Offices of Ilene H. Ferenczy, LLC, Atlanta, GA

Craig P. Hoffman Esq., APM, ASPPA, Arlington, VA
Joyce I. Kahn, Internal Revenue Service, Washington, DC
Martin L. Pippins, Internal Revenue Service, Washington, DC

Sal L. Tripodi, Esq., APM, TRI Pension Services, Highlands Ranch, CO

12:40 p.m.

Conference Adjourns

THANK YOU!

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Please visit our Web site at www.asppa.org/annual for the current 2010 listing.

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The Bancorp Bank
vWise, Inc.
Wolters Kluwer Law & Business

CONFERENCE LOCATION

Gaylord National Resort & Convention Center
201 Waterfront Street
National Harbor, MD 20745
Tel: 301.965.2000
Room Rates: \$249/night single or double
Reservation Cut-Off Date: September 24, 2010

To make your reservation, contact the hotel directly and identify yourself as an ASPPA Annual Conference attendee by the reservation cut-off date of September 24, 2010. Room blocks fill quickly, so make your reservations early before our block sells out! Note that these rates do not include local taxes.

DRESS CODE

The dress code at the Conference is business casual. Remember the hotel conference rooms tend to be cold, so you might want to pack a sweater or a light jacket.

TRAVEL INFORMATION

Reagan National Airport (DCA) is the closest airport; it is located approximately 15 minutes from the Gaylord National Resort & Convention Center.

Dulles (IAD) and Baltimore Washington International (BWI) Airports are located approximately 45 minutes from the Gaylord National Resort & Convention Center.

SuperShuttle

This convenient new service will depart every 20 minutes from Gaylord National Resort & Convention Center's front door to Reagan National Airport and every 20 minutes from the Reagan National Airport baggage claim. Reservations are recommended, but tickets will also be available from the SuperShuttle desk, located on the lower level of the airport near baggage claim.

Daily Shuttle Schedule: 6:00 a.m. – 8:00 p.m.

- \$18 one way
- \$32 per person, round trip
- \$78 for exclusive van service, booked in advance

From Dulles (IAD) and Baltimore Washington International (BWI) Airports to Gaylord National Resort & Convention Center

\$43 per passenger/\$125 exclusive

Upon arrival at the airport, follow the signs for Ground Transportation to SuperShuttle. Shuttle Reservation: 800.660.8000 or online by clicking here.

Taxi

- From Reagan National Airport (DCA) to Gaylord National Resort & Convention Center: approximately \$20 and 20 minutes
- From Dulles (IAD) to Gaylord National Resort & Convention Center: approximately \$55 and 50 minutes
- From Baltimore Washington (BWI) to Gaylord National Resort & Convention Center: approximately \$65 and 60 minutes
- Estimated pricing is for a one-way rate. Please verify with a local taxi service before finalizing your plans. Travel times will vary according to current traffic conditions.

DC Shuttle Service

Gaylord National Resort & Convention Center offers convenient shuttle service to the Nation's Capital. Featuring continuous service to:
Old Post Office (1100 Pennsylvania Avenue NW)
Union Station (H Street and 2nd Street NE)

Daily Shuttle Schedule: 8:00 a.m. – 9:00 p.m.

Departing from the Gaylord National Resort & Convention Center Main Entrance on the hour, every hour.

- One-way tickets: \$13
- Round-trip tickets: \$20
- Unlimited, 3-Day Pass: \$49

For reservations, visit the Gaylord National Resort & Convention Center Tour Desk or call 877.886.8732.

Water Taxi Service

From Gaylord National Resort & Convention Center, experience an exciting new way of transportation that is not only fun, but also practical. Water taxi service is available to and from several points around Washington DC, Virginia and Maryland. Cruise to Old Town Alexandria, visit George Washington's home at Mount Vernon or take a trip to Georgetown with a breathtaking view of the monuments along the way.

For a complete schedule and to purchase your ticket online, please visit <http://www.potomacriverboatco.com/>.

- One-way tickets: \$8
- Round-trip tickets: \$16

Tickets are also sold at the Gaylord National Resort & Convention Center's Concierge Desk.

CONTINUING PROFESSIONAL EDUCATION INFORMATION

ASPPA Members

The ASPPA Annual Conference offers 25 hours of ASPPA CPE credits, with Ethics/Professionalism credits available.

Attorneys

If you would like ASPPA to apply for pre-approval of a particular state, please contact the Conferences Department.

Accountants

This conference is a “group-live” event and will grant 23 CPE credits (12 – Taxes, 11 – Administrative Practice).

ASPPA is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. For more information regarding administrative policies such as complaint and refund, please contact ASPPA 703.516.9300. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org.

Enrolled Retirement Plan Agent (ERPA)

This conference is designed to offer up to 23 CPE credits for ERPAs with Ethics/Professionalism credits available.

Enrolled Actuaries

The conference is designed to provide up to 23 JBEA credits for Enrolled Actuaries with Core/Non-core workshops offered. The final decision as to the number of JBEA credits rests solely with the Joint Board for the Enrollment of Actuaries (JBEA).

Insurance

If you would like ASPPA to apply for pre-approval of a particular state, please contact the Conferences Department.

Continuing Professional Education Approval

For other types of continuing education credit, including CLE, CFP, CPE or state insurance credit, please contact the conferences staff at conferences@asppa.org at least 45 days prior to the conference to submit your request for approval. We will apply for advance approval of the program if the application process and filing fees are not prohibitive.

We will post pending and approved credit information as it becomes available at www.asppa.org/annual.

REGISTRATION POLICIES & PROCEDURES

FOUR WAYS TO REGISTER

Please note that registration forms sent without payment will NOT be processed until payment is received.

- **MAIL**

ASPPA
PO Box 34725
Alexandria, VA 22334-0725

For express/overnight deliveries (FedEx, DHL, etc.):
ASPPA
4245 N Fairfax Dr Ste 750
Arlington, VA 22203

- **FAX** 703.516.9308

- **ONLINE** www.asppa.org/annual

- **EMAIL** conferences@asppa.org

CONFIRMATION

Registrants will receive confirmation by e-mail if registration and payment are received by October 1, 2010.

Due to the large number of registrations, ASPPA will not confirm registrations or receipt of faxes over the telephone.

CANCELLATION POLICY

If a written cancellation notice is received by October 1, 2010, ASPPA will refund the full registration fee minus a \$100 processing fee. After October 1, 2010 no refunds will be available.

QUESTIONS

If you have any questions, contact the ASPPA Conferences Department at 703.516.9300 or e-mail us at conferences@asppa.org.

1. REGISTRANT INFORMATION. Please register only one person per form. All fields are required – Type or print clearly.

Name: _____

Name for Badge: _____

Title: _____ Designation(s): _____

Company: _____

Street Address/PO Box: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-mail: _____

Note: Information listed above for nickname, company, city and state will appear on your conference badge exactly as stated. Your name, address and phone number will also appear in the attendee list.

If the address above is different from the mailing label, does this signify a change of address to be updated on your ASPPA record?

Yes, please change my address No

JOB CLASSIFICATION (Please check all that apply)

Accountant Actuary Consulting Firm Human Resources Insurance Agent
 Investment Legal Firm TPA Other (please specify): _____

Please check dietary requirements (if applicable):

Kosher Vegetarian Other: _____

If you require special accommodations due to a disability, please specify:

2. SESSION/WORKSHOP REGISTRATION.

SUNDAY, OCTOBER 17, 2010

12:00 p.m. – 1:15 p.m.

- 1: Using the Credit Balance after PPA
- 2: New Challenges in Pension Accounting for the Actuary, the Accountant and the Finance Executive
- 3: When the QDRO is Worse Than the Marriage
- 4: Hardships & Other Distributions
- 5: The Challenges of Successfully Buying and Selling a TPA Business
- 6: Multiple Employer Plans (including PEO plans)
- 7: Recent Court Cases Affecting Actuaries & Administrators

1:30 p.m. – 2:45 p.m.

- 8: Actuarial Assumptions for 2009 and 2010 Valuations
- 9: Required Minimum Distribution Requirements for Defined Benefit Plans
- 10: DC Plan Takeovers Made (Not) Easy: New Client Problems, Corrections and Directions
- 11: Finding and Resolving Problems in Multi-Vendor 403(b) Plans
- 12: Securities Law and Retirement Plans
- 13: Employment Law Primer for TPA Business Owners
- 14: Brightwork Partners Survey

MONDAY, OCTOBER 18, 2010

11:45 a.m. – 1:00 p.m.

- 15: Update on Completing the Schedule SB and PBGC Premium Filings
- 16: Taking Shelter from the Storm: Insuring Your Liability Risks in Good Times and Bad
- 17: Now That the Dust Has Settled.... Post Regulation TPA Issues in 403(b) Plans
- 18: Client Communication/DC Plan Take-Over Issues
- 19: EFAST2: The First Year in Review
- 20: Cash Balance Plans: A Litigation Update & Business Perspective
- 21: Informal Defined Benefit Session

2:30 p.m. – 3:45 p.m.

- 22: Designing DB Plans Post PPA
- 23: Cash Balance Plans: Will We Have the New Hybrid Plan Regulations Or Will We Still Be Waiting for Godot?
- 24: Creative 401(k) Testing and Correction Techniques
- 25: Ethical Dilemmas – Mental Conflicts and Moral Imperatives in Being a Benefits Professional
- 26: EPCRS Case Studies: Fixing a Broken Plan in the Real World
- 27: 403(b) Plan Documents
- 28: Social Networking/Cheap Technology

4:15 p.m. – 5:30 p.m.

- 29: Issues Related to End of Year Valuations
- 30: DB Regulatory Update
- 31: Ongoing Litigation about Fees, Expenses and Revenue Sharing
- 32: Retirement: The New "Normal"
- 33: The Business of Being a TPA
- 34: So Now You're Retired: What Risks Do you Face with Your Retirement?
- 35: Topic TBD

TUESDAY, OCTOBER 19, 2010

10:30 a.m. – 11:45 a.m.

- 36: DB/DC Combo Plan Design
- 37: DB Plan Document Issues
- 38: Using Your Service Agreement and Other Best Practices
- 39: Compensation Issues for Plans
- 40: Troubleshooting Participant Loan Issues
- 41: Lifetime Income for DC Participants
- 42: Ethics, Its Application to the Retirement Profession

ASPPA Annual Conference

October 17-20, 2010 | National Harbor, MD

REGISTRATION FORM

Name: _____

2:15 p.m. – 3:30 p.m.

- 43: Funding Patterns – Contribution Consulting
- 44: Benefit Restrictions Under 436
- 45: Government Plan Compliance Issues
- 46: Case Studies Under the Voluntary Fiduciary Correction Program
- 47: A Year in the Life of a DB Plan for a DC Practitioner
- 48: Inadvertent Fiduciary Status: Common Pitfalls for Service Providers and Opportunities for Acknowledged Fiduciaries
- 49: Beyond the Paperless Office: Technology Integration Strategies

4:00 p.m. – 5:15 p.m.

- 50: Qualification Standards and Joint Board Regulation Update
- 51: Restricted Payments from DB Plans
- 52: Advance Safe Harbor Issues
- 53: Plan Conversions
- 54: To Convert or Not to Convert, That's the Question
- 55: Advanced Plan Designs Including Plan Designs for Professional Service Firms
- 56: Hiring, Developing and Incentivizing the "Next Gen" Employee

WEDNESDAY, OCTOBER 20, 2010

8:30 a.m. – 9:45 a.m.

- 57: Plan Termination Issues, DB & DC
- 58: Timing and Content of DB Notices and Elections
- 59: Hot Topics in International Benefits
- 60: Closing Down a Plan for a Bankrupt or a Failing Company
- 61: Retirement Plan Options for Tax Exempt Entities
- 62: The New World: Building Enterprise Value for Retirement Plan Service Firms and Their Professionals
- 63: Corporate Social Responsibility: A Matter of Making Ethical Decisions

10:00 a.m. – 11:15 a.m.

- 64: Life Insurance in Defined Benefit Plans
- 65: Retirement Plans in a Slowly Recovering Economy
- 66: IRS Critical Audit Initiatives Priorities
- 67: Davis-Bacon Prevailing Wage Retirement Plans
- 68: What Auditors are Finding When They Look Under the Rug
- 69: Topic TBD
- 70: IRS Q&A – Defined Benefit Plans

3. SPECIAL EVENTS REGISTRATION.

For planning purposes, check the boxes below for any event you and/or your guest(s) plan to attend.

SUNDAY, OCTOBER 17, 2010

- President's Welcome Reception (no charge for registered attendees)
- Guest – President's Welcome Reception (\$65/guest) _____ x \$65 = \$_____
- NEW!** Roundtrip Bus Ticket to/from Downtown DC (\$10/person) _____ x \$10 = \$_____

MONDAY, OCTOBER 17, 2010

- Washington Monuments at Night Tour (\$65/person) _____ x \$65 = \$_____
- NEW!** Roundtrip Bus Ticket to/from Downtown DC (\$10/person) _____ x \$10 = \$_____

TUESDAY, OCTOBER 17, 2010

- Generation XY Reception (open to those born after 1965)
- Party on the Potomac (no charge for registered attendees)
- Guest – Party on the Potomac (\$65/guest) _____ x \$65 = \$_____

4. PAYMENT.

	Early (by 8/27/10)	Regular (8/28/10 – 10/1/10)	On-Site (after 10/1/10)
ASPPA Member	<input type="checkbox"/> \$ 975	<input type="checkbox"/> \$1225	<input type="checkbox"/> \$1500
Additional ASPPA Member*	<input type="checkbox"/> \$ 875	n/a	n/a
Non-member	<input type="checkbox"/> \$1250	<input type="checkbox"/> \$1500	<input type="checkbox"/> \$1750
Guest Ticket - Sunday Welcome Reception	<input type="checkbox"/> \$ 65	<input type="checkbox"/> \$ 65	<input type="checkbox"/> \$ 65
Guest Ticket - Party on the Potomac	<input type="checkbox"/> \$ 65	<input type="checkbox"/> \$ 65	<input type="checkbox"/> \$ 65
Roundtrip DC Bus Ticket - Sunday	<input type="checkbox"/> \$ 10	<input type="checkbox"/> \$ 10	<input type="checkbox"/> \$ 10
Roundtrip DC Bus Ticket - Monday	<input type="checkbox"/> \$ 10	<input type="checkbox"/> \$ 10	<input type="checkbox"/> \$ 10

Total \$ _____

Check Payment Check Numer: _____

Mail checks to: ASPPA, PO Box 34725, Alexandria, VA 22334-0725

Credit Card: MasterCard Visa American Express Discover

Name as it appears on card: _____

Card No.: _____ Expiration Date: _____

Signature: _____

To prevent duplication of payment, send your registration form only once. If you are mailing it, do not fax it and vice versa.

**To qualify for the additional member rate, additional members must be from the same company and all registration forms must be submitted together with payment by the early registration deadline of August 27, 2010.*