



Employee Stock Ownership Plans

Reinhart's Employee Stock Ownership Plans (ESOP) group has extensive experience counseling ESOP-owned companies, ESOP fiduciaries and individuals and entities buying and selling employer securities through an ESOP. We have worked with hundreds of ESOPs, ranging from a handful of participants to thousands of participants, from small deals to multimillion dollar ESOPs.

The scope of our ESOP practice encompasses the complete life cycle of ESOPs. We perform comprehensive ESOP feasibility studies, which explore and analyze different ESOP design alternatives and their applications to ESOP sponsors, selling shareholders and employees. We explore how an ESOP may enhance other company-offered employee benefits and management incentive paradigms. We also work extensively with other professionals in the establishment of ESOPs including fiduciaries, lenders, valuation companies, accountants, record keepers and third-party administrators.

We frequently assist plan sponsors and fiduciaries in maintaining ESOPs and addressing opportunities related to growth and development of ESOPs over time, including planning and prescribing methodologies for meeting company stock repurchase obligations. Our practice also includes analyzing the complex legal issues surrounding the sale of ESOP-owned companies, including the termination of ESOPs.

Our extensive involvement in all ESOP areas allows us to anticipate and formulate developments affecting our clients. In addition, our relationships within the ESOP community enable us to provide our clients with exceptional insights into other similarly situated entities, as well as offer educational opportunities and access to federal and state government agencies.

Reinhart's Employee Stock Ownership Plans group has significant experience in this industry. Our ESOP team helped establish the Wisconsin Chapter of the National ESOP Association. Several of our current and former attorneys have worked for federal regulatory agencies, including the Department of Labor and the Internal Revenue Service. In addition to serving businesses establishing or sponsoring ESOPs, our ESOP team also provides representation to ESOP fiduciaries, assisting with fiduciary duty compliance and due diligence.

We regularly collaborate with other practices in the firm that are important for ESOP clients. Our Employee Benefits Practice routinely works with plan qualification and ERISA issues. Attorneys in our [Corporate Law](#) and Securities groups assist with developing transaction structure and financing, as well as navigating issues involving securities laws. Our [Tax Practice](#) helps in planning for changes to tax laws as part of our ESOP design process, including S corporation and Code section 1042 elections. Our [Litigation Practice](#) has a division specializing in litigation involving ESOPs and other ERISA plans. Lastly, our [Trusts and Estates Practice](#) also provides significant insights for business owners' sales of stock with their family's estate planning.