President's Message

Denise C. Mehus, Chapter President
WP&BC San Diego Chapter

Welcome to the first issue of the Western Pension & Benefits Council San Diego Chapter Newsletter. We hope to make this an ongoing publication for our membership.

Because this is our first issue, I would like to give you a little background on the Western Pension & Benefits Council (WP&BC). WP&BC was founded in San Francisco in 1954 to address the educational needs of pension specialists. Through the years, WP&BC expanded its scope to include those with responsibilities in the health and welfare fields. Today, WP&BC is recognized as the premier educational and professional organization in the western United States for the dynamic field of employee benefits. We are a tax-exempt educational organization with a Governing Board consisting of all Chapter Presidents along with an Executive Committee appointed from their ranks, and we have over 1,200 members located within the 11 chapters. Our purpose is to educate, provide information, and foster sound principles of benefit plan governance within the industry. The world of employee benefits is constantly changing. Today, more than ever, we need tools and resources to effectively manage our responsibilities as benefits professionals.

The San Diego Chapter has been a part of the WP&BC since the early 1980's. For over 30 years, San Diego has been providing educational opportunities to those in our local community. Our members include ERISA attorneys, CPAs, third-party administrators, investment industry specialists, financial advisors, actuaries, benefits consultants, trustees and plan sponsors' in-house benefits professionals.

My two-year term as the San Diego Chapter President will come to an end on June 30. I want to thank you all for your continued support of WP&BC and our San Diego Chapter! I have met so many wonderful people, and made several lifelong friends through this organization. I know that you will show Ronnie Davenport, our incoming President, the same courtesies and professionalism you have shown to me. Please spread the word about our Chapter to other benefits professionals, and remember the annual conference, which will be held in Las Vegas July 27 – 30 at the Bellagio! I hope to see you there!

Please visit our website at http://www.wpbcsandiego.org for more of our Chapter's information.

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Executive Committee:

Denise C. Mehus, President (Second Year)

Denise Mehus has over twenty-five years' experience working in the employee benefits industry. She is Vice President & Manager, Retirement Plan Services, for First American Trust, FSB where she has been for the past 17 years. Previously, she worked for over eighteen years with San Diego Trust & Savings Bank, including time with both First Interstate Bank and Wells Fargo Bank through bank merger activity before joining and establishing her current service team with First American Trust. A graduate of the Cannon Financial Institute's Certified Retirement Services Professional's and Certified IRA Services Professional's designation programs, Denise has a deep understanding of employee benefit administrative and regulatory issues. She also attended San Diego State University and Sawyer College of Business. Denise has been on the Board of the Western Pension & Benefits Council for many years, and currently serves as our Chapter President. She also sits on the San Diego Chapter Board of the National Institute of Pension Administrators.

Ronnie Davenport, President-Elect (Second Year)

Ronnie is a Vice President and ERISA Compliance Officer for City National Bank's Wealth Management Retirement Services. She provides consultative and administrative services for her clients' retirement plans, to include plan design, preparation of plan documents and amendments, regulatory annual discrimination tests, trust reconciliation and preparation of all government forms related to the filing of Form 5500. Ronnie joined City National Bank in 2005 and has been directly responsible for managing her relationship with her clients' and their retirement plans. During her 20 years' of experience, her primary focus has been specifically on qualified retirement plans.

WP&BC San Diego Chapter
President Elect 2012-current
Programs Co-Chair 2008-2011
Member 2005-current

WP&BC Governing Board
Governing Board Officer 2012-current
Webinar Committee 2012-current
Programs Committee 2009-2012

Elizabeth Van Clief, Secretary (First Year) and Hot Topics

Elizabeth Van Clief is a partner at Butterfield Schechter & Van Clief LLP and represents individuals and entities in a variety of industries. Elizabeth specializes in the areas of ERISA litigation, qualified domestic relations orders, employee benefits, pension plans, profit sharing and 401(k) plans, and corporate tax law. Elizabeth earned a Bachelor of Arts degree in Mathematics and a Bachelor of Arts degree in Economics from the University of California, San Diego and a Juris Doctor degree and a Masters of Laws in Taxation degree from the University of San Diego, School of Law.

Barbara J. Connell, Treasurer (First Year)

In her role as ERISA Compliance Manager at Atéssa Benefits, Inc., Barbara provides ERISA compliance consulting services to clients, including plan design and document preparation, annual reporting related to Forms 5500 and 8955-SSA, preparation and filing of Form 5330 and submissions under the DOL voluntary correction programs. She also works with clients to identify ares of potential fiduciary risk and strengthen their processes and procedures in those areas. Barbara holds industry designations as a Qualified Plan Administrator (QPA) and Qualified 401(k) Administrator (QKA) from ASPPA, and Accredited Investment Fiduciary Analyst (AIFA) from the Center for Fiduciary Studies, LLC. In 2013, Barbara completed the IRS Enrolled Retirement Plan Agent (ERPA) program.

Garry Armstrong, Past President & Hot Topics

After Law School, he began his professional career as a tax accountant with the San Diego Office of Haskins & Sells and, later, Deloitte Haskins + Sells. After passing the California Bar and waiting out that recession, he began practicing tax and estate planning with Lawrence S. Branton APC, which later became Branton, Wilson & Armstrong APC. Then, 28 years ago, he set up his practice as a sole practitioner.

Professional Affiliations: I hold inactive CPA licenses in California and Indiana. I am a California State Bar Certified Legal Specialist in both estate planning, trust and probate law and taxation law. I belong to the Taxation Law and Estate Planning Sections of the State of San Diego County Bar Associations, and have served as chair of the local bar's Taxation Law Section. I am an At-Large Director and past President of the San Diego Chapter of the Western Pension & Benefits Conference. I have, at various times, taught tax and estate planning courses for SDSU, UCSD Extension, Golden Gate University Graduate Taxation Program, SDCBA and CEB.

Steering Committee:

Andrew Gregor, Programs Co-Chair (First Year)

Andrew D. Gregor is an associate at Foley & Lardner LLP where he focuses on employee benefits, ERISA, executive compensation under Internal Revenue Code Section 409A, and related issues pertaining to implementing and maintaining retirement and welfare plans.

Mr. Gregor received his law degree from Harvard Law School (J.D., 2008) and his B.A. with high honors from the University of California, Berkeley (2005).

Eva Ayala, Programs Co-Chair (First Year)

Ms. Eva Ayala serves as member and Co-Chair for the Programs Committee for WP&BC, San Diego Chapter. Ms. Ayala is a Vice President & Compliance Officer with City National Bank's distinguished Wealth Management Retirement Services team and has over 25 years of professional experience in the field of Employee benefit plans in the Retirement Services Industry. Eva combines knowledge of retirement plans with integrated services and maintains the Enrolled Retirement Plan Agent (ERPA) designation with the Internal Revenue Service (IRS). Eva works directly with clients and interfaces with various groups to provide technical expertise and guidance in the area of plan document analysis (including design and amendments), consulting & compliance matters, procedures, administrative forms creation, non-discrimination testing & reporting, contribution computations, preparation of Form 5500 Annual returns, as well as technical issues and tailored services.

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Dave Kempton, Membership (First Year)

Dave Kempton serves as Vice President and Retirement Plan Advisor for City National Bank, Wealth Management Services. Dave has over 18 years of experience in the financial services industry, specializing in various types of retirement plan design, administration, and consulting. He has also worked with many companies designing and implementing innovative marketing campaigns aimed at increasing acceptance of retirement plans and improving employee-participation.

Dave has taught seminars regarding a variety of topics related to retirement plans. He is active in many associations including the American Society of Pension Professionals & Actuaries (ASPPA), and is a past President of the San Diego chapter of the Western Pension & Benefits Conference.

Scott Ann Setzer, Sponsorship (First Year)

Scott Ann Setzer has over 35 years experience and expertise in employee benefits consulting. Having been with Polycomp Administrative Services, Inc. for over 25 years Scott's expertise has helped employers and employees achieve one united goal, retirement. Scott has given thousands of presentations to both large and small groups consisting of privately and publicly held corporations, CPAs, attorneys, financial advisors, employers and employees. In addition, Scott has proven to be "one stick of dynamite" as a professional and motivational speaker. She began her career developing benefit programs for employers and eventually made the transition into Sales and Marketing. Scott has extensive training with the National Institute of Pension Administrators (NIPA), American Society of Pension Professionals and Actuaries (ASPPA), and American Law Institute-American Bar Association (ALI-ABA). Scott sits on the Board of Directors of the San Diego Chapter of the Western Pension & Benefit Conference and is a member of the National Institute of Pension Administrators (NIPA) and the National Speakers Association. Scott graduated with a Bachelor of Arts in Sociology from California State University, Sacramento, where she pursued her MBA before jumping into the employee benefits field.

M'Lissa Groh Publicity (Second Year)

M'Lissa Groh is a Relationship Manager for Institutional Retirement and Trust in the Southern California Region. She provides consultative services for businesses with retirement plans and oversees the implementation, conversion, administration, and participant communications for her clients' retirement plans. M'Lissa is directly accountable for the quality of services provided by a team of specialists, including investment management, pension payment processing, plan sponsor and participant communications, statement reporting, regulatory reporting and compliance monitoring.
M'Lissa joined Wells Fargo in 1991 as a Retirement Trust Associate and has been directly managing client relationships for the past 19 years. During her 22 years' experience in client services, her primary focus has been specifically on qualified retirement plans.

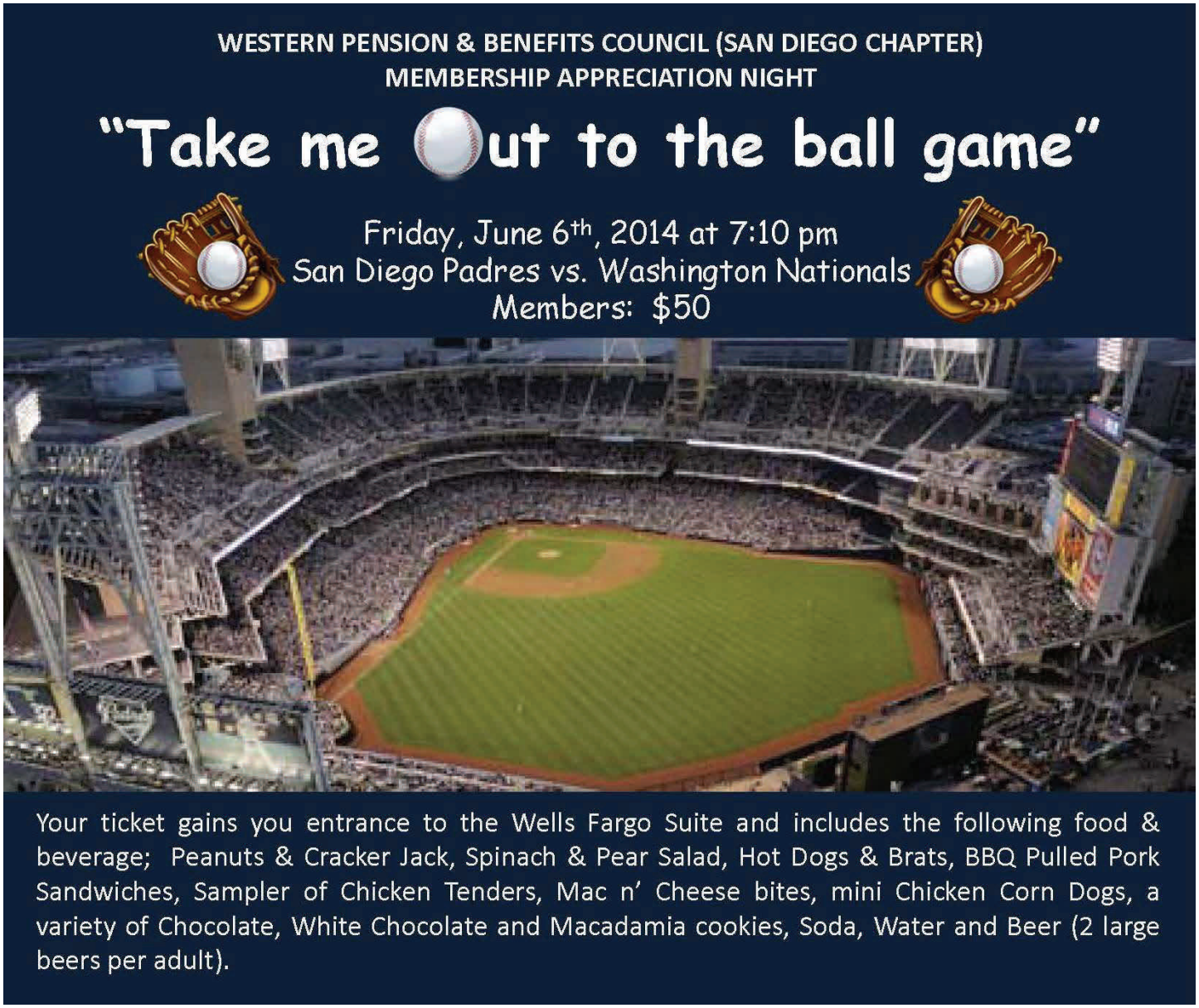
Lori Mason, APA, Document Retention (First Year)

Lori Mason, joined the Institutional Retirement and Trust Group of Wells Fargo for the second time in 2007 and has over twenty years of experience in the retirement plan industry. She holds an Accredited Pension Administrator designation with the National Institute of Pension Administrators and is currently serving on the board of the San Diego Chapter of the Western Pension and Benefits Council since 2009 and is now the Chapter Administrator.

Peggy Haflinger, Member at Large (First Year)

As managing partner of Haflinger & Associates, Peggy provides auditing and consulting services to employee benefit plans especially 401(k) plans. She has served three years on the AICPA national committee on Employee Benefits Taxation, submitting comments on proposed pension legislation to the IRS and congressional committees. Peggy was the primary co-author of the AICPA publication entitled, 401(k) Plan Practice Guide. She has served on conference steering committees for both the AICPA and the Western Pension & Benefits Council. Her public speaking engagements on pension plan topics were presented at the AICPA National Conference on Employee Benefit Plans, the American Woman's Society of CPA's, the California Society of CPA's, the Western Pension & Benefits Conference and others. Her professional memberships include: AICPA, Employee Benefit Plan Audit Quality Center of the AICPA, California Society of CPA'[s, Western Pension & Benefits Conference and Past President of the American Woman's Society of CPA's.

Got game?



Active Members, you should have received the exciting details about our upcoming Membership Appreciation Event!

Please remember it is on a first come/first serve basis… seating is limited!!!

Hot Topics

Pension Law Updates: Important News regarding *Windsor*, IRC 409A, CalPERS, and IRA Rollovers

By: Elizabeth Van Clief

Windsor Results in Required Plan Amendments

In early April 2014, the IRS issued Notice 2014-19 which provides guidance regarding plan qualification on the topic of same sex marriages. The most important aspect of Notice 2014-19 is that a retirement plan must be amended to comply with *Windsor* (Docket No. 12-307, Supreme Court 2013) and Revenue Ruling 2013-17. Accordingly, if a plan uses the same definition for "spouse" as Section 3 of DOMA, the plan must be amended to provide that if a same sex couple is lawfully married, then the same sex couple must be treated as married for purposes of the plan.

The deadline for plan amendments is December 31, 2014, with some exceptions, and the effective date is June 26, 2013, which is the date of the Supreme Court's decision in *Windsor.*

Notice 2014-19 also provided that plans may, but are not required to, reflect the outcome of *Windsor* for periods prior to the date *Windsor* was decided.

What is interesting for ERISA litigation attorneys is whether *Windsor* will be applied retroactively under ERISA 502(a) for benefit claims. Thus, although the IRS is requiring plans to be amended retroactively for *Windsor* to June 26, 2013, it is currently unclear whether for benefit claims purposes participants can claim rights under *Windsor* when the benefit claim accrued prior to June 26, 2013. An example of such a claim would be the case where a plan sponsor paid out benefits in the form of a single life annuity instead of a qualified joint and survivor annuity over the joint lives of the same sex spouses.

Chapter Administrator's Message

Lori Mason, Chapter Administrator
WP&BC San Diego Chapter

Thank you for the warm welcome! It is my pleasure to serve as the chapter administrator, and I look forward to working with you all. Since I have a "day job", I will be conducting the majority of chapter business outside of working hours. Your patience during this transition period is greatly appreciated. Please feel free to contact me with any questions. My contact information is as follows:

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Respectfully Yours,
~ Lori Mason, APA

Our 2013-2014 Calendar of Programs:

Tuesday, 1/15/2013	*Lunch Meeting*: Washington Update	Bradford P. Campbell, Drinker Biddle & Reath, LLP
2/19/2013	*Lunch Meeting:* ERISA Litigation Update	R. Bradford "Brad" Huss, Trucker Huss, APC
3/28/2013	*Webinar*: Multiple Employer Plans	Robert J. Toth, Jr.
4/16/2013	*Lunch Meeting:* The Affordable Care Act and Elder Card	*Heather B. Abrigo, Drinker Biddle & Reath , LLP*
5/08/2013	*Webinar*: Key Provisions & Responsibilities for Tax Prof.	Karen Hawkins, Director , IRS John Griffin, Principal, ASC Institute
9/17/2013	*Lunch Meeting:* DOMA Decision, Details, Directives and Discussion	*Robert H. "Hiltz" Burton, JD, Aon Hewitt*
10/22/2013	*Lunch Meeting:* Economic Update—Growth or Chaos?	*Ric Epps, Commentator for Fox 5 News*
11/19/2013	*Lunch Meeting*: ERISA Litigation Update	*Brad Huss, Trucker Huss, APC*
12/11/2013	*Seminar on Demand:* DB/DC Plan Design and Compliance	*NaKendra Stewart, Polycomp Administrative Services, Inc.*
1/21/2014	*Lunch Meeting*: Ethics for Benefits Professionals	*Sheldon H. Smith, Bryan Cave, LLP*
2/18/2014	*Lunch Meeting*: Surviving DOL Service Provider Investigations	*Summer Conley, Drinker Biddle & Reath, LLP*
4/3/2014	Webinar: Participant Loans and Uncashed Checks	Sherrie Boutwell, Boutwell Fay, LLP Avaneesh Bhagat, IRS
4/22/2014	Lunch Meeting: Washington Update	Tim Verrall, Ogletree, Deakins, Nash, Smoak & Stewart

Thank you to all our 2013-2014 Meeting Sponsors:

Sponsor Corner: As a not for profit entity, WP&BC looks to our benefits community to help support our mission to educate. Our partners Great West, ING, AmericanFunds, Butterfield Schechter & Van Clief LLP and Foley & Lardner LLP helped bring you our 2013/1014 speaker lineup. If you are interested in becoming a WP&BC sponsor, partner, please contact Scott Ann Setzer at SSetzer@polycomp.net.