



Winter 2015



President's Message

*Ronnie Davenport, Chapter President
WP&BC San Diego Chapter*

Come out and join us for our first luncheon meeting of 2015!!

**TUESDAY,
January 20, 2015**

**From Goodwin Procter's
Litigation Department**

**Our guest speaker is
Jamie Fleckner, a partner in
Goodwin Procter's Litigation
Department and heads the
firm's ERISA Litigation Prac-
tice.**

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As we celebrated the holidays and welcomed in the new year, we unexpectedly lost a long time member of our chapter. It is with great sadness that we inform you that Peter Huntting passed away on December 5. Peter was the founder and President of Peter L. Huntting & Company, Inc., an independent consulting firm offering benefits advice and plan administration services to small business owners since 1974. Peter has been a member of the San Diego Chapter of the Western Pension & Benefits Council for many years. He will be missed terribly by all who knew him. Below is information on the services for his celebration of life as well as a copy of his obituary found in the Union Tribune San Diego.

Peter L. Huntting 1945 - 2014 |



Huntting, Peter L. SAN DIEGO -- Peter was born on October 25, 1945 in Passaic, NJ and unexpectedly passed away on December 5, 2014. He is survived by his wife Christine of 32 years, sister Noel Kelley of Rehoboth Beach, DE, and brother, David Huntting of Rockford, IL. He received a BS degree from Baldwin Wallace University in 1967 and commenced U.S. Navy flight training in Pensacola, FL the same year. He served as a U.S. Navy pilot for seven years and was a veteran of the Vietnam conflict. Following his service, he began a career in pension services and later founded a successful boutique pension services company which has been in operation in San Diego for nearly 40 years. He and Christine enjoyed a life of travel, golf, skiing, attending arts events and reaching out to those in need. He supported multiple programs for underprivileged children and was passionate for America's wounded veterans. He was interviewed recently by Bill O'Reilly for his support of Track Chairs for Wounded Warriors. Friends are invited to a Celebration of Life for Peter at The Thursday Club, 1224 Santa Barbara St., San Diego on Sunday, January 25th, at 1 p.m. The family requests remembrances to Peter be made to the Track Chair Independence Fund www.independencefund.org or USS Midway Museum www.midway.org

As always, if you would like more information about our chapter, please feel free to reach out to our Chapter Administrator Lori Mason at (619) 405-3874 info@wpbcсандiego.org or to me or any one of our board members. We would be more than happy to answer your questions.

December 2014 Hot Topics

New Cumulative List for Plan Qualification Requirements

The IRS recently issued guidance that includes the 2014 cumulative list of changes in plan qualification requirements for individually designed plans. The notice is IRS Notice 2014-77 and the IRS will start accepting applications on February 1, 2015. The cumulative list contains changes under variety of laws notably including the Highway and Transportation Funding Act of 2014 (HATFA), the Cooperative and Small Employer Charity Pension Flexibility Act (CSEC Act), the American Taxpayer Relief Act of 2012, and the Pension Protection Act.

Supreme Court Agrees to Hear A Second Challenge to the Affordable Care Act

The U.S. Supreme Court announced in late 2014 that it will consider an appeal challenging the tax subsidies of the Affordable Care Act. The four cases that are being appealed are *King v. Burwell*, *Halbig v. Burwell*, *Pruitt v. Burwell*, and *Indiana v. IRS*. If you recall, the Supreme Court heard a challenge to the Affordable Care Act almost two years ago. Now the Supreme Court will hear a more nuanced appeal regarding the portion of the law providing that people will get a tax credit if they enroll in a healthcare exchange “established by the states.” The issue is that only 36 states have established an online exchange for purchasing health insurance. The issue is whether the Affordable Care Act is unconstitutional as written because the other states arguably do not have an exchanged “established by the states.”

The states that do not have exchanges have left the job of setting up an exchange to the federal government, as the law permits. The question is whether people can collect the tax subsidies if they buy policies on the federal exchange when the Affordable Care Act describes the exchange as “established by the states.”

Under guidance issued by the Internal Revenue Service, at 26 C.F.R. 1.36B-2(a)(1), consumers can claim the tax credits no matter where they live. Thus, the IRS is permitting individuals to claim the tax credits even if they are in a state that uses the federal exchange. The Obama administration has stated that the IRS approach is consistent with the law's aims.

Our upcoming meetings

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| 01/20/2015 | <i>Lunch meeting:</i> ERISA Litigation and Washington Update | Jamie Fleckner is a partner with Goodwin Procter’s Litigation Department and heads the firm’s ERISA Litigation Practice in Boston. |
| | <i>Lunch meeting:</i> Technical topics on Health and Welfare: 2 hour presentation with 1 hour segments for each speaker | |
| 02/17/2015 | Title: What to Expect from an EBSA Investigation Title: Health Plans and Beyond: ACA, Governance and Plan document issues, IRS Audits and Litigation trends | Tiffany Woo, Regional Health Coordinator with the DOL Magan P. Ray, Shareholder with Greenberg Traurig, LLP |
| March 2015 | “Spring Seminar on Demand” - Topic to be announced! | |
| 04/21/2015 | <i>Lunch meeting:</i> Does our Employee Benefit Plan benefit more Employees than you thought it did? Application of the Controlled and Affiliated Service Group Rules | Brian Katusian, Associate with Seltzer Caplan McMahon Vitek, A Law Corporation |

Some fun facts about our past Chapter Presidents!!!



1974—1975 Chapter President was Leonard Lofthus—During this same year, Richard Nixon resigns presidency, VP Gerald Ford becomes the 38th president—(ERISA) Employee Retirement Income Security Act is signed into law—Race riot in Boston due to “busing” - John Lennon’s last concert appearance (Elton John concert in MSG New York City) - “Wheel of Fortune”, debuts on NBC—TV—1st appearance of the San Diego Chicken—Last U.S. helicopter leaves U.S. embassy, Saigon surrenders and last but not least Teamsters President Jimmy Hoffa disappears in suburban Detroit.

1986—1988 Chapter President was Margaret Larkin—During this same time period, Reagan signs landmark immigration reform bill—SEC imposes a record \$100 million penalty against Ivan Boesky—Iran-Contra affair erupts, President Reagan reveals secret arms deal—Stars and Stripes beats Australia’s Kookaburra 3, sweeps America’s Cup— U.S. Supreme Court upholds affirmative action, 5-4—Supreme Court rules school teaching evolution, need not teach creation—Kiwaniis Clubs end men-only tradition, vote to admit women— Oliver North admits to shredding Iran-Contra evidence—Ben and Jerry’s and Jerry Garcia agree on a new flavor, Cherry Garcia—”Baby Jessica” McClure rescued 58 hours after falling 22’ into a well shaft—”Black Monday”, Dow Jones down 508.32, 4 times previous record—Dick Rutan and Jeana Yeager compete 1st around-the-world flight without refueling—Sonny Bono elected mayor of Palm Springs and last but not least Congress votes \$20,000 to each Japanese-American interned during WW II.

1994-1995 Chapter President was Paul Barnett— During this same year, Anna Nicole Smith (26) weds billionaire J. Howard Marshall II (89), O.J. Simpson pleads “Absolutely 100% Not Guilty” of murder— Orange County California files for bankruptcy—Superbowl XXIX: San Francisco 49ers beat San Diego Chargers, 49-26 in Miami—Howard Stern radio show premieres in San Diego on KIOZ 105.3 FM—Steve Fossett completes 1st air balloon ride over Pacific Ocean.

2005-2006 Chapter President was Judy Simons—During this same year, IRA announces it’s ending its violent campaign for a united Ireland and instead pursues goals politically—Hurricane Katrina causes severe damage to the Gulf Coast killing 1,836—Congressman Randy “Duke” Cunningham resigns after pleading guilty to taking at least \$2.4 million in bribes—Former Iraqi President Saddam Hussein goes on trial for mass killings—Dick Cheney accidentally shoots friend in a hunting accident.

A look back to some of our great Speakers so far this year.....



San Diego Chapter Board

Board Members

Ronnie Davenport, President—OneAmerica Retirement Services LLC
Andrew Gregor, President-Elect—Foley & Lardner LLP
Elizabeth Van Clief, Secretary—Hughes & Pizzuto, APC
Barbara Connell, Treasurer—Atessa Benefits, Inc.
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Eva Ayala—OneAmerica Retirement Services LLC
Kristi Olivas—Buck Consultants
Teena Sarkissian—Nyhart Epler

Publicity Committee

Missy Groh —Wells Fargo Institutional Ret. & Trust
Sarah Rodgers —PolyComp Administrative Services, Inc.

Membership Committee

Peggy Haflinger —Haflinger & Associates, CPA's
Scott Ann Setzer —Polycomp Administrative Services, Inc.
Lori Foresz —AKT Retirement Plan Services

It's Membership Appreciation Time!

Thanks to those who have been long time members and are now Retiring!

Diane Martin, President, SMI Pensions. Diane worked in the pension industry for close to 30 years designing and administering plans. (retired December 31, 2014)

Mary Jo Topp, Vice President, City National Bank. Mary Jo (MJ) has worked in the retirement industry for over 30 years administering individually directed accounts in retirement plans. (retired December 31, 2014)

Congratulations on a well deserved Retirement!!!!

Luncheon Gift Card Winners:

September (VISA gift card) – Corey Schechter with Butterfield Schechter & Van Clief
October (AMC movie gift card) – Vickie Barnes Salas with Scripps
October (Starbucks gift card) – Bryan Addleman with AKT Retirement Plan Services
November (Coco's gift card) – Sonya Siqueira with BlueStar Retirement Plan Services

Chapter Administrator

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