STROOCK

Austin S. Lilling

Partner

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Related Services

- Corporate
- Employee Benefits, Executive Compensation and ERISA
- Employment Law
- FinTech
- Financial Restructuring
- Mergers, Acquisitions and Joint Ventures
- Private Equity / Venture Capital
- Private Funds and Asset Management
- Real Estate
- Tax

Education

LL.M., New York University School of Law, 2001

J.D., Seton Hall University School of Law, 2000

B.A., Emory University, 1997

Austin S. Lilling focuses his practice on issues relating to executive compensation arrangements and employee benefit plans.

Austin regularly provides comprehensive counsel to senior executives, management teams and employers on the design, negotiation, implementation and administration of employment agreements, severance agreements, change in control arrangements, corporate and partnership equity and phantom equity compensation arrangements, qualified and nonqualified deferred compensation plans, welfare plans, retention, incentive and other compensation and benefits arrangements. He has substantial knowledge of ERISA and tax issues relating to benefits and compensation arrangements, including under Internal Revenue Code Sections 409A, 457A, 162(m), 280G and 83, and strives in his practice to maximize tax efficiency for, while avoiding the potential for punitive tax consequences to, his clients.

Austin advises on benefits, compensation and employee matters in transactional settings, including in private and public mergers and acquisitions, financial restructurings and investment fund acquisitions and dispositions, and has significant experience representing various parties to such transactions.

Throughout his career, Austin has been involved with many of the country's most significant financial restructurings. Private equity and hedge funds often call on Austin for thoughtful guidance relating to their key employee compensation arrangements and those covering portfolio company management. He is also called on to provide counsel relating to the unique compensation programs of media, entertainment and professional sports organizations.

Austin's suite of services also includes counseling on securities issues relating to compensation arrangements.

Honors & Awards

- Recognized by *Chambers New York* for Employee Benefits and Executive Compensation
- Nationally recommended by *The Legal 500 United States* in two categories for Employee Benefits, Executive Compensation and Retirement Plans

Speeches & Events

- Speaker, "Pandemic Not Panic: What Fund Managers Should Do Post-CARES Act," Stroock Webinar, April 9, 2020

Publications

- Co-author, "U.S. Department of Labor Proposes Amendments to 'Investment Duties' Regulation to Address ESG Investments," *Employee Relations Law Journal*, October 6, 2020
- Co-author, "What you need to know about IRS guidance on CARES Act retirement plan provisions," *Benefits Pro*, June16, 2020
- Co-author, “IRS Issues Guidance on CARES Act Retirement Plan Distribution and Loan Provisions,” *Stroock Special Bulletin*, May 11, 2020
- Co-author, “Federal Agencies Extend Employee Benefit Plan Deadlines in Response to COVID-19 Pandemic,” *Stroock Special Bulletin*, May 5, 2020
- Co-author, “The CARES Act’s Tax Provisions: an Overview,” *Stroock Special Bulletin*, March 30, 2020
- Co-author, “First Circuit Holds Sun Capital Funds Not Liable for Portfolio Company Withdrawal Liability,” *Pratt's Journal of Bankruptcy Law*, February/March 2020
- “SECURE Act Passed in Year – End Spending Package,” *Stroock Special Bulletin*, December 23, 2019
- Co-author, “House Passes Retirement Plan Reform Legislation on Bipartisan Vote,” *Stroock Special Bulletin*, May 29, 2019

Admitted To Practice

New York; New Jersey

U.S. Tax Court