



Anthony E. Antognoli

Partner
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Anthony Antognoli focuses his business practice on the representation of large and mid-size clients in the areas of employee benefits, state and federal taxation, executive compensation, and tax-exempt organization matters.

Tony advises employers on the design and drafting of qualified retirement plans, nonqualified deferred compensation plans, equity compensation plans and welfare benefit plans. He also regularly counsels employers on a broad range of related issues, including multiemployer pension plan withdrawal liability, employee stock ownership plans (ESOPs), employee benefit plans of tax-exempt or governmental employers (including school district 403(b) plans), educational assistance and other fringe benefit programs, and requirements for the investment of plan assets. He has devoted a substantial portion of his practice to advising employers on complying with 2010's health care reform legislation and related guidance.

He primarily counsels clients on transactional matters, focusing on issues arising in mergers and acquisitions. Tony has served as lead ERISA counsel in a \$320 million acquisition of an industrial firm, as co-tax and ERISA counsel in the \$90.5 million sale of a managed care firm, and as co-tax and ERISA counsel in the acquisitions of many health care practices.

He also has represented clients in controversies before the Internal Revenue Service, the U.S. Department of Labor and various State Departments of Revenue, and in litigation in the United States Tax Court and the United States District Court for the Northern District of Illinois.

He continues to serve as an Adjunct Professor of Tax Law at Loyola University Chicago School of Law (Taxation LL.M. program) since 2007.

Honors & Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*® for Employee Benefits (ERISA) Law, 2024
- Recognized as a Leading Lawyer in Employee Benefits Law by *Leading Lawyers* magazine, 2018 – Present
- Recognized as an Emerging Lawyer by *Leading Lawyers* magazine, 2015 – 2016
- Recognized on the Rising Stars list by *Illinois Super Lawyers* magazine, 2012 – 2015

Practices

Business & Commercial Transactions

Employee Benefits

Employee Stock Ownership Plans (ESOPs)

Labor & Employment

Life, Health, Disability & ERISA Litigation

Private Equity

Tax

Transactional Insurance

Industries

Education

Education

J.D., Certificate in Tax Law,
Loyola University Chicago
School of Law, 2000

B.S., Finance, University of
Illinois at Urbana-Champaign,
1997

Admissions

Illinois

U.S. Tax Court

U.S. District Court for the
Northern District of Illinois



Presentations

- "Feeling Secure with SECURE 2.0," Hinshaw's 27th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 19, 2023
- Co-Presenter, "Update on Employee Benefit Plans," Hinshaw's 26th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 27, 2022
- "Defining Health Plan Eligibility in an Evolving Landscape," 2022 Reta Trust Annual Meeting, Las Vegas, Nevada, October 20, 2022
- "What's on the Legal Horizon for Catholic Health Plans and Entities," Board of Trustees Meeting for the Reta Trust. San Francisco, California, December 10, 2021
- Co-Presenter, "Insights and Practical Considerations for Business Owners and Lenders Navigating the COVID-19 Pandemic," seminar and webcast of the State Bar of Wisconsin, April 17, 2020
- Co-Presenter, "[Navigating the COVID-19 Pandemic: Insights and Practical Considerations for Business Owners and Lenders](#)," Hinshaw webinar, March 31, 2020
- "Update on Fringe Benefits," Hinshaw's Annual Labor & Employment Seminar, Hilton Chicago-Northbrook, Northbrook, Illinois, November 7, 2019
- "Storms on the Horizon: Issues of Rising Concern in Employee Benefits Law," Hinshaw's Annual Labor & Employment Seminar, Hilton Chicago-Northbrook, Northbrook, Illinois, October 17, 2018
- Co-Presenter, "Hinshaw Employment Webinar Series: Employer-Assisted Student Loan Repayment Programs," Hinshaw webinar, March 8, 2018
- "Employee Benefits Law – Policy, Trends and Key Issues to Consider in the Trump Era," Hinshaw's Annual Labor & Employment Seminar, Hilton Chicago-Northbrook, Northbrook, Illinois, October 12, 2017
- "Illinois Secure Choice Act Requirements and Association Retirement Plans," Technology and Manufacturing Association, Schaumburg, Illinois, February 9, 2017
- "What to Do When the Wolf Comes Knocking: Anticipating and Surviving IRS and DOL Investigations of Employee Benefit Plans," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2016
- "Group Health Plans in the ACA World," College Of Imaging Administrators, Eighteenth Annual Spring Assembly, Lisle, Illinois, May 5, 2016
- "Avoiding Fiduciary Pitfalls and Tar Pits: Best Practices for Retirement Plans," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2015
- "Practical Tips for Navigating the Latest Challenges in Employee Benefits Law," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2014
- "Health Care Reform Update," DuPage Society for Human Resource Management Legislative Update, Lisle, Illinois, March 20, 2014
- "A to Z for Bank ESOPs," Community Bankers Association of Illinois Seminar for the Community Bank Attorney, Springfield, Illinois, November 15, 2013
- "The Employer Mandate Under Health Care Reform: Take a Deep Breath and Get Ready for 2015," Annual Hinshaw L&E seminar, Hoffman Estates, Illinois, October 2, 2013
- "Countdown to 2014 — Offering Health Care Coverage to Employees: Who, What, How, and When?" Hinshaw breakfast briefing and national webinar, Chicago, Illinois, June 27, 2013
- "Health Care Reform Update: DuPage SHRM Legislative Update," DuPage Society for Human Resource Management, Lisle, Illinois, March 21, 2013
- "Labor and Employment Law Update for Health Care Employers," Hinshaw's Annual Health Care Conference, Lisle, Illinois, November 2012
- "Affordable Care Act After the Supreme Court Decision," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2012
- "Health Care Reform: It's Alive (for Now)," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2012



- "The Affordable Care Act: A Primer," Significant Recent Legal Changes Impacting Wisconsin Businesses seminar, Brookfield, Wisconsin, September 2012
- "Employee Stock Ownership Plans as a Business and Tax Planning Vehicle," Strafford Publications, live webinar, January 2012
- "Using Leveraged ESOPs," Northern Trust, Chicago, Illinois, May 2011
- "The Evolving Look of Health Care Reform," DuPage Society for Human Resource Management, Lisle, Illinois, April 2011
- "Health Care Reform: Where We Are Now," Illinois Association of School Boards' Joint Annual Conference, Chicago, Illinois, November 2010
- "Perspectives on Health Care Reform," Hinshaw's 2010 Health Care Conference, Lisle, Illinois, November 2010
- "Health Care Reform: Where We Are Now," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2010
- "Health Care Reform," Hinshaw Breakfast Briefing, Chicago, Illinois, April 2010
- "Health Care Reform: The Uncertain Shape of Things to Come," DuPage SHRM Legislative Update Meeting, Naperville, Illinois, April 2010
- "Employee Benefits Update – Health Care Reform," Hinshaw's Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2009
- "Mediation Skills and Strategies," Illinois Institute of Continuing Legal Education, 12th Annual Employment Labor Law Update, Champaign, Illinois, March 2009
- "Annual Employee Benefits Update," Hinshaw's Annual Labor & Employment Seminar, Oak Brook, Illinois, November 2008
- "Wellness Programs: Navigating the Waters," Mid American Group, Inc. 2008 Employee Benefits Seminar and Luncheon, Oak Brook, Illinois, May 2008
- "Keeping Up with 403(b) Compliance," Professional Development Alliance of Will County Boards of Education, Joliet, Illinois, January 2008
- "Employee Benefits Issues in Individual and Mass Terminations," Hinshaw's *Effectively Dealing with Current Labor & Employment Issues* seminar, Chicago, Illinois, September 2007
- "Retaining Employees Through Employee Benefit Programs," Life Services Network, 2007 Annual Convention & Exposition, Chicago, Illinois, March 2007
- "Selected Provisions of the Pension Protection Act of 2006," Hinshaw's *Effectively Dealing with Current Labor & Employment Issues* seminar, Lisle, Illinois, November 2006
- "The Latest Regulatory and Legislative Changes Affecting Employee Benefits," Hinshaw's *Effectively Dealing with Current Labor & Employment Issues* seminar, Chicago, Illinois, September 2005; Lisle, Illinois, November 2005

Publications

- Author, "Special Employee Plan Issues Arising in Reduction in Force or the Sale of the Employer," Chapter 8, *Employment Termination: Procedures, Grounds, and Challenges*, Illinois Institute of Continuing Legal Education, 2011, 2013, 2018, and 2022 Editions
- Quoted in "Debt Busters," an article published in the June-July 2020 edition of *PLANSPONSOR* magazine
- Quoted in "7th Circuit leaves EEOC concerns about employer wellness program unaddressed," an article published in the February 28, 2017 issue of *Westlaw Journal: Employment*, a publication of Thomson Reuters
- Quoted in "Is your business ready to prevent workplace violence?," an article published in a September 6, 2014 edition of *Crain's Chicago Business*
- Quoted in "Weighed in the Balance," an article published in the October/November 2013 national edition of *Poder* magazine
- Quoted in "Big suburban firms joining private health exchanges," an article published in the September 9, 2013 *Daily Herald*



- Quoted in "Fiduciaries Take the Heat," an article published in the August 2009 edition of *Human Resource Executive* magazine

His other publications include:

- Co-author of comments to the Internal Revenue Service of the Chicago Bar Association's Employee Benefits Committee regarding future of the Employee Plans determination letter program, August 2003
- "State Taxation of Business Trusts: Limits, Concerns and Opportunities," co-author, *Journal of Multi-State Taxation* in February 2000 and reprinted by *Business Entities*, September/October 2000
- "Fiduciary Duties Under the 'Serious Consideration' Standard," co-author, *DC Plan Investing*, November 2000