Debra E. Kleman

Partner, Board of Directors of the Firm

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t 864.253.6107

Parker Poe

Attorneys & Counselors at Law

For more than 20 years, Debbie Kleman has been advising clients on qualified and nonqualified retirement plans, executive compensation arrangements, equity based arrangements (including stock options, restricted stock, and employee stock purchase plans), and other benefit plans. In addition, she assists clients with a broad range of employee benefits issues that include the design and implementation of employee benefit plans, reporting and disclosure requirements, and employee communications.

Debbie also provides advice regarding COBRA benefit continuation rights and obligations, employee benefits issues in the context of mergers and acquisition, HIPAA privacy and security compliance, § 280G golden parachute issues, employee stock ownership plans (ESOPs), welfare plans (including medical, cafeteria, and flexible benefits plans), and § 162 (m) bonus plans. She is also a member of the Public Company Growth & Compliance group.

REPRESENTATIVE EXPERIENCE

- Prepared an omnibus equity compensation plan for employees and formula restricted stock plan for nonemployee directors for a publicly traded Fortune 300 company, including proxy disclosures, prospectuses, and form agreements.
- Assisted a large manufacturing company through the process of spinoffs from its parent company's 401(k) and pension plans.
- Guided a dissolving company through the termination of its defined benefit pension plan, including Pension Benefit Guaranty Corporation (PBGC) and IRS filings.
- Advised a publicly traded Fortune 300 company on its Section 162(m) bonus plan and "plan within a plan" structures.
- Drafted a complex nonqualified deferred compensation plan for a publicly traded company for its key employees and directors, assisted with the associated rabbi trust and related securities filings.
- Drafted a long-term bonus plan for senior management team of a national retailer.
- Assisted various publicly traded and privately held companies regarding Section 409A compliance.

SPARTANBURG OFFICE

PRACTICE AREAS

Employee Benefits & Executive Compensation
ERISA Litigation
HIPAA
Public Company Growth & Compliance
Employment & Labor
Retail Automotive Dealers

EDUCATION

Duke University
JD, 1994
Wake Forest University
BA, *magna cum laude*, 1991

ADMISSIONS

South Carolina, 2005
North Carolina, 1994

- Assisted large manufacturing company with multifaceted voluntary correction program submission for its 401(k) plan and obtained IRS compliance statement.

CLIENT ALERTS

- "IRS Announces 2019 Dollar Limitations for Retirement Plans," November 2018
- "IRS Announces 2018 Dollar Limits for Retirement Plans," October 2017
- "Traps for the Unwary: A Look at Employees and Benefits in M&A Transactions," May 2015
- "Cafeteria Plan Amendments: A Year-End Action Item," December 2014

SPEAKING ENGAGEMENTS

- "Dissecting the Purchase Agreement," October 2005
- "Annual Compensation & Benefits Update
- "Benefits Focus: New COBRA Notice Requirements
- "How to HIPAA," Cameron M. Harris & Company Seminar
- "New Requirements, Ricks and Strategies for Hospitality Industry Employers

HONORS

- Woodward/White's *The Best Lawyers in America* "Lawyer of the Year" in Greenville Metro Area for Employee Benefits (ERISA) Law, 2018
- Woodward/White's *The Best Lawyers in America* in Employee Benefits (ERISA) Law, 2013-2019
- Phi Beta Kappa

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MEMBERSHIPS

- Southern Employee Benefits Conference, Member
- National Association of Stock Plan Professionals, Member