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BIOGRAPHY

In addition to serving as the firm's managing director, Richard Nix is an experienced attorney whose practice encompasses the entire range of employee benefit services, including qualified plans, nonqualified plans, executive compensation arrangements, health and welfare plans, and all other deferred compensation matters. He is frequently called upon to provide analyses of, and/or recommendations concerning the tax, fiduciary requirements, and ERISA ramifications of business decisions on retirement, welfare benefit and executive compensation plans, and to provide consultation and advice on retirement plan matters for public, private and tax-exempt clients. He has also acted as counsel in connection with the formation of many tax-qualified retirement plans and in connection with plan terminations and amendments.

Richard is keenly aware of the special problems that can arise in connection with various employee benefit arrangements, including affiliated service group, non-discrimination and coverage requirements for qualified retirement plans and reinsurance issues for self-funded health plans. He has also provided counseling to many governmental and tax-exempt clients in the areas of Section 403(b) and Section 457 plans and has worked extensively in the areas of the IRC §401(a)(4) regulations allowing benefit-based compliance with the IRC nondiscrimination requirements.

Richard is a frequent speaker at seminars and conferences on employee benefits topics, including the annual SouthWest Benefits Association Intermediate Level Training Seminar for Employee Benefits Practitioners and Plan Sponsors. In addition to having previously served on the board of directors of the SouthWest Benefits Association, he has published several articles and been a guest lecturer at the University of Oklahoma. He was also one of seven lawyers worldwide to be selected to serve on the 2007-2008 Edge Awards Article Review Board for *Law Practice* magazine. Edge Awards honor outstanding articles most likely to have a practical influence in shaping the future actions lawyers take to manage their practices.

Richard's experience and achievements have earned him inclusion in *The Best Lawyers in America* (corporate law, employee benefits (ERISA) law). He was also named "Best Lawyers' 2012 Oklahoma City Employee Benefits (ERISA) Lawyer of the Year," an honor only given to a single lawyer in each legal specialty in each community.

In 2007, Richard was recognized for his professional and civic contributions to the state by being named to the *Journal Record's* list of *Leadership in Law* honorees.

REPRESENTATIVE EXPERIENCE

- Counseled employers on the design, drafting and administration of employee benefit plans and the handling of such plans in corporate transactions.
- Represented clients before governmental agencies such as the Internal Revenue Service, the Department of Labor and the Pension Benefit Guaranty Corporation.

- Evaluated ERISA claims in the context of litigation and threatened litigation.
- Counseled collectively bargained multi-employer plans on compliance with the Taft-Hartley Act, Employee Retirement Income Security Act (ERISA) and IRS Tax Code.
- Counseled clients on tax planning, especially as it pertains to lessening their exposure to both estate tax and income tax.
- Assisted clients with the rehabilitation of qualified retirement plans that have incurred a “qualification” failure.
- Handled cases with the U.S. Department of Labor’s Pension and Welfare Benefits Administration involving allegations of fiduciary breaches.
- Counseled trustees of multi-employer plans on issues concerning fee disclosures and conflicts of interest among providers.

ADMISSIONS

- Oklahoma, 1985
- U.S. District Court for the Western District of Oklahoma

EDUCATION

- J.D., University of Oklahoma, 1985
- B.B.A., University of Oklahoma (Accounting), 1982

PROFESSIONAL ORGANIZATIONS AND MEMBERSHIPS

- Oklahoma County Bar Association
- Oklahoma Bar Association
- American Bar Association
- Oklahoma City Employee Benefits Conference
- IRS Midstates EP/EO Council (Former Secretary/Treasurer)
- SouthWest Benefits Association (Former Member of Board of Directors)

CIVIC INVOLVEMENT AND LEADERSHIP

- Calm Waters, Inc. (Board of Directors)
- Gatewood Elementary School (Tutor)
- Oklahoma City National Memorial Foundation (Board of Trustees)
- Oklahoma Attorneys Mutual Insurance Company (Board of Directors)
- OU Medical Center (Board of Trustees)
- YMCA of Greater Oklahoma City (Board of Directors)