

# FisherBroyles

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**Practice Areas:** Emp. Benefits & Exec Comp

**Bar Admissions:** Texas

**Education:** South Texas College of Law, J.D., 1987; Arizona State University, B.A. (Economics), 1990; Georgetown University Law Center, LL.M. in Taxation (with a Certificate in Employee Benefits), 2000

**Experience:** Morgan, Lewis & Bockius LLP; Baker Botts LLP

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Mark L. Mathis is a partner in FisherBroyles' Employee Benefits practice. Mr. Mathis assists clients with a broad array of employee benefits issues that employers face in connection with the establishment, on-going administration, redesign, and termination of tax-qualified retirement plans such as traditional and cash balance and other hybrid-defined benefits plans, defined contribution plans like a 401(k) plan, welfare benefit plans, and executive compensation arrangements.

Mr. Mathis works with in-house counsel, HR staff, and outside service providers (such as actuaries, third-party administrators, and investment consultants) to provide advice on day-to-day issues and integrated solutions to fit clients' needs. Mr. Mathis is often uniquely positioned to add value by understanding the history of clients' benefits structures, the overall direction of clients' benefits offerings, and clients' tolerances for risk. He regularly deals with emerging trends and issues unique to a particular geographic region or industry, including high tech and biosciences companies, energy sector clients, air carriers, defense contractors, logistics and express delivery companies, bankrupt entities, and enterprises with collectively bargained employees.

In addition to addressing employee benefits issues in connection with major corporate events, Mr. Mathis regularly advises clients integrating benefit offering following major corporate events such as a merger.

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His experience with both relatively simple integrations and the most complex matters enables him to deliver a high degree of value.

Mr. Mathis is equally well suited for advising clients on novel issues by bringing to bear his knowledge of federal tax laws; the Employee Retirement Income Security Act (ERISA), including ERISA's fiduciary provisions; and the various other laws and standards that interact with clients' benefits offerings such as federal securities laws, financial accounting standards, and state laws. These engagements often involve particularly sensitive issues and/or a high degree of risk.

Prior to earning his LL.M. in taxation (with a Certificate in Employee Benefits Law) at Georgetown University Law Center, Mr. Mathis earned his J.D., with honors, at South Texas College of Law and his B.A. in economics at Arizona State University. Mr. Mathis regularly publishes articles of interest in the employee benefits area and often speaks on topics of interest.

### Presentations & Teaching Experience

- "Fiduciary Training for ERISA Fiduciaries" (Investment Committee Training) (Ongoing)
- "Selected Fiduciary Issues" Benefits 101 Webinar (August 2011)
- "Doing the Right Thing with Benefit Plans: Using Plan Fees Litigation to Explore the Fiduciary and Ethical Considerations for Benefits Practitioners" Southwest Benefits Association Annual Meeting (November 2007)
- "Discovery and Privilege Issues Arising from Legal Ethical Issues in Benefits" ALI-ABA Committee on Continuing Professional Education (August 2005)
- "The Financial Risks and Subsidized Rewards for Providing Retiree Rx Coverage: A Plan Sponsor's Guide to Plan Design Issues in Light of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003" National Medicare Prescription Drug Congress (February 2004)
- "Ethical Considerations: Who Is the Client?" ALI-ABA Committee on Continuing Professional Education (July 2002, updates July 2003, July 2004, August 2007)
- "Contingent Workers: A Growing Problem for Retirement Plans" Journal of Pension Planning and Compliance 29 J. of Pens. Planning & Comp. 355 (2000)