

People



Gary D. Blachman

Partner, Tax

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With over 25 years of experience, Gary Blachman is a skilled employee benefits and executive compensation lawyer, counseling companies to mitigate financial and legal risks by developing best practices in corporate governance and compliance policy. Gary's experience extends to advising clients on corporate benefits issues during mergers and acquisitions, including crafting post-acquisition benefit strategies. He is proficient at designing, implementing, and terminating executive incentive compensation programs, ensuring compliance with Code Section 280G, 409A, 162(m) rules and other cash and equity incentive plans. He regularly negotiates employment and separation agreements for senior C-Suite executives and provides fiduciary compliance training for retirement committee members.

Gary's practice also covers the representation of employers in the design, implementation, and administration of tax-qualified retirement plans (defined benefit pension plans, 401(k) plans, 403(b) plans, and 457(b) plans) coupled with an evaluation of associated risk with respect to varying options as they pertain to the entity's legal and regulatory compliance in this area. Gary also advises on matters related to the Affordable Care Act and HIPAA, and ongoing welfare plan compliance. His direct experience with the IRS and U.S. Department of Labor audits allows him to efficiently and effectively negotiate settlements with these agencies as well as leverage voluntary correction programs.

Before entering private practice, Gary served as a consultant and in-house counsel for an independent human resources and employee benefits solutions firm. In this role, he provided guidance on federal tax, pension, and health and welfare law issues, designed and maintained various retirement and compensation plans, and negotiated compliance matters with the IRS and U.S. Department of Labor. Earlier in his career, Gary worked as a pension investigator with the U.S. Department of Labor, where he investigated prohibited transactions and fiduciary violations, conducted interviews, issued subpoenas, and prepared cases for litigation. He also conducted civil investigations and financial audits of corporations and banks.

Areas of Experience

Tax

Employee Benefits and Executive Compensation
Employee Benefits and ERISA Litigation

Education

J.D., University of Illinois Chicago School of Law, 1994
M.B.A., The City University of New York, 1991
B.S., Rutgers University, 1987

Admissions

Bars

Illinois
New Jersey
Ohio

Courts

U.S. District Court, Northern District of Illinois
U.S. District Court, District of New Jersey

Related Content

Akerman Expands National Tax Practice With Addition of Employee Benefits and Executive Compensation Partner Gary Blachman in Chicago
July 01, 2025

sponsoring 401(k) plans, employee stock ownership plans (ESOPs), and other qualified pension and welfare plans.

Gary is a contributing editor to the *Employee Benefits Plan Review* and *Plan Consultant* magazine. He has held leadership positions with the American Retirement Association (ASPPA), including vice-chair of IRS regional and national conferences and chair of general conferences. He has also served as chair of the employee benefits committee of the Cincinnati Bar Association, president of the Cincinnati chapter of ASPPA, and is the immediate past chair of the IRS Great Lakes TE/GE Council in Chicago.

Related Professional Experience

- United States Department of Labor, Employee Benefits Security Administration, Investigator, 1995-1998
- City of Chicago Corporation Counsel's Office, Municipal Prosecutions Division, Prosecutor, Law Department, 1995

Affiliations

- Great Lakes Area Tax Exempt and Government Entities Council of the Internal Revenue Service, Chair, 2020-2022
- Great Lakes Area Tax Exempt and Government Entities Council of the Internal Revenue Service, Vice Chair, 2019-2020
- Cedar Village Retirement Community Board of Directors, Chairman, 2017-2019
- ArtsWave Grant Program, Members Allocations Committee, 2009-2014; U-GRO Grant Review Committee, 2008-2013
- Chamber Music Cincinnati, Executive Committee, Board of Trustees, 2005-2011
- ASPAA General Conferences
 - Chair, 2013-2014
 - Vice Chair, 2010-2011
- Annual ASPPA Cincinnati Pension Conference
 - Chair, 2010
 - Co-Chair, 2009
 - Planning Committee, 2008
- National Association of Manufacturers, Sarbanes-Oxley Task Force, 2006-2008
- Fine Arts Fund, Business on Board, 2005
- Cincinnati Bar Association Employee Benefits Committee, Chair, 2005-2006
- ASPPA Benefits Council of Greater Cincinnati, President, 2005
- Annual Cincinnati Bar Association Employee Benefits Conference, Planning Committee Chair, 2004-2005
- Juvenile Diabetes Research Foundation
 - Government Relations Liaison, 2003-2005
 - Ohio State Leader, 2000-2003
 - Board of Directors, 1999-2005
- Cincinnati State College, Instructor, Certified Employee Benefits Specialist (CEBS) Course in Defined Benefit Plans, 2005
- Cincinnati State College, Instructor, CEBS Course in Defined Contribution Plans, 2004

Honors and Distinctions

- *Best Lawyers*, 2024-2025, Listed in Illinois for Employee Benefits (ERISA) Law
- *Cincinnati Magazine*, 2005-2006, Ohio Rising Star
- Cincinnati Academy of Leadership for Lawyers, 2006, Class X
- *Super Lawyer Magazine*, 2005-2006, Listed in Illinois

Published Work and Lectures

- *Employee Benefit Plan Review*, Author, "Phantom Stock Plans: Are They Really That Spooky?" January 2024
- *Employee Benefit Plan Review*, Author, "Are BlackRock's Target Date Funds the New Fiduciary Battlefield?" April 28, 2023
- *Employee Benefit Plan Review*, Author, "Is My Severance Plan Subject to ERISA or Section 409A?" November 11, 2022
- *Employee Benefit Plan Review*, Author, "Is the Crypto Winter Finally Starting to Thaw?" September 28, 2022
- *Law360*, Co-Author, "Navigating The IRS Pre-Audit Retirement Plan Pilot Program," July 8, 2022
- *Employee Benefit Plan Review*, Author, "IRS Releases Proposed Required Minimum Distributions Rule," June 2022
- *Employee Benefit Plan Review*, Author, "Health Plan Sponsors Must Obtain Fee Disclosures from Consultants and Brokers," May 2022
- *Employee Benefit Plan Review*, Author, "Health Plan Sponsors Must Obtain Fee Disclosures from Consultants and Brokers," April 27, 2022
- *Employee Benefit Plan Review*, Author, "Retirement Plans as a Vehicle to Repay Student Loan Debt," December 2021
- *Employee Benefit Plan Review*, Author "Severance Agreements and Deferred Compensation Under Section 409a," October 2021
- *Employee Benefit Plan Review*, Author, "IRS Updates the EPCRS Correction Program," September 2021
- ASPPA Plan Consultant, Co-Author, "Survival Mode: 10 Ways to Protect Participants and Plan Sponsors During the Pandemic," Fall 2020
- *The Illinois Manufacturer*, Co-Author, "Final NLRB Rule Less Likely to Find 'Joint Employer' Status," Second Quarter 2020
- *ASPPA Plan Consultant*, Co-Author, "Don't Mess with RMDs!" Spring 2020
- *ASPPA Plan Consultant*, Co-Author, "RMD Compliance Concerns for Plan Sponsors," Winter 2020
- *ASPPA Plan Consultant*, Co-Author, "The Good, The Bad and The Ugly: Backdoor Roths," Fall 2019
- *Journal of Pension Benefits*, Volume 26, Issue 4, Co-Author, "Cryptocurrency and Your Retirement Plan: What's in Your (Crypto) Wallet?" Summer 2019
- *Plan Consultant*, Author, "University Retirement Plans Under Fire for Excessive Fees," Spring 2018
- *Plan Consultant*, Author, "How to Prepare a Plan Sponsor for the IRS Correction Program," Fall 2018
- *Plan Consultant*, Author, "Will Spokeo Open the Floodgates," Fall 2016
- *Plan Consultant*, Author, "PPA Restatements Are Right Around the Corner," Winter 2014
- ASPAA Annual Conference, Speaker, "Case Studies: Employee Plans Compliance Resolution System," 2013

- ACI Forum on Employee Benefits Plan, Speaker, “Best Practices for Fiduciary Compliance,” May 2013
- *Aspatore Books*, A Thomson Reuters Business, Author, “Executive Severance Agreements Line by Line: A Detailed Look at Executive Severance Agreements and How to Change Them to Meet Your Client’s Needs,” January 2012
- Horan Associates Annual Seminar, Speaker, “Recent ERISA Litigation and the Potential Impact on Your Retirement Plan,” 2012
- *Aspatore Books*, A Thomson Reuters Business, Author, “Non-Competition, Non-Solicitation, and Non-Disclosure Agreements Line by Line: A Detailed Look at Restrictive Covenants and How to Change Them to Meet Your Client’s Needs,” November 2011
- *Aspatore Books*, A Thomson Reuters Business, Author, “Recent Case Law and Regulatory Developments Affecting Plan Assets and Financial Services, Inside the Minds,” 2011 Edition
- Annual Employee Benefit Advisor Summit, Speaker, “Recent and Anticipated Health and Welfare Legislation,” 2010
- Annual Forum-National Institute of Pension Administrators, Speaker, “Operational Aspects of Merging Plans,” 2010
- ACI National Advanced Compliance Forum on Employee Benefits Plans, Speaker, “Health Care Reform,” 2010
- *The ASPPA Journal*, Author, “How to Avoid Conflicts of Interest When Selecting Service Providers,” Fall 2009
- ASPPA Cincinnati Pension Conference, Speaker, “My Perfect Retirement Plan Has a Compliance Error – Now What?” 2009
- Annual Meeting of Cleveland Worldwide Employee Benefits Network (WEB), Speaker “Legal and Regulatory Update,” 2009
- Legal Beat, Speaker, “Employee Benefits in Mergers and Acquisitions,” March 2008
- 18th Annual Cincinnati Bar Association Employee Benefits Conference, Speaker, “Ask the Experts: Panel of IRS Conference Speakers,” 2005
- Great Lakes Area IRS TE/GE Council Meeting, Speaker, “IRS Final 401(k) Regulations,” 2005
- 17th Annual Cincinnati Bar Association Employee Benefits Conference, Speaker, “How to Survive a U.S. Department of Labor Audit,” 2004
- Annual Meeting of Cincinnati/Dayton Chapter of the International Society of Certified Employee Benefit Specialists (ISCEBS), Speaker, “The Year in Review – Hot Topics for Retirement and Welfare Plans,” 2003