


Matthew I. Whitehorn

PARTNER | CHAIR, EMPLOYEE BENEFITS GROUP | CHAIR, PRO BONO COMMITTEE | MEMBER, EXECUTIVE COMMITTEE

 215-575-7166

 mwhitehorn@dilworthlaw.com

 Primary Office: 1500 Market St., Suite 3500E Philadelphia, PA 19102

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Overview

Matthew I. Whitehorn is a Partner in the Firm's Tax Group, Chair of the Employee Benefits Group, and Chair of the Pro Bono Committee, and was the 2016-2017 Chair of the IRS Advisory Committee on Tax Exempt and Government Entities (ACT). Matt works with clients on a broad range of benefits matters and has spent over 25 years focusing his practice on ERISA issues. In addition to ERISA and retirement plan fiduciary requirements, Matt regularly addresses benefits issues such as: Affordable Care Act compliance; governmental and tax-exempt employer pension and 457(b) plans; employee benefits in bankruptcy; compliance reviews of qualified retirement plans; and non-qualified deferred compensation plans and compliance with Code Section 409A and Code Section 457(f) requirements. Matt is a member of the International Foundation of Employee Benefits Plans as well as the IRS Mid-Atlantic Area Pension Liaison Group. He serves as the co-chair of the Philadelphia Bar Association Employee Benefits Committee and is a member of its Pension Committee. Matt is an Adjunct Law Faculty at Temple University Law School and has taught Qualified Employee Benefit Plans and Executive Compensation through its Graduate Tax Program.

Representative Experience

- Part of acquisition counsel team involving a major local newspaper publisher.
- Part of pension counsel team for major urban municipalities and suburban municipality.
- Provides retirement and health & welfare plan advice to the human resource departments of local private sector companies, tax-exempt. organizations, and governmental organizations.
- Interacted with PBGC regarding imposition of an involuntary plan termination against a financially-distressed employer.
- Negotiated a settlement with the US Department of Labor EBSA concerning fiduciary breach claims against a plan trustee.
- Effectuated various IRS and US Department of Labor plan correction approvals relating to issues such as plan loan failures, errors in automatic enrollment arrangements, late or incomplete filings of Form 5500, etc. as well as consulting on employer self-corrections.
- Negotiated settlements of multiemployer plan withdrawal liability assessments.
- Obtained relief from IRS-assessed ACA ESRP and reporting & disclosure penalties.

Professional & Community Activities

- Matt was elected by the Board of Governors of the American College of Employee Benefits counsel to be inducted as a Fellow at the College's annual dinner—to be held at the Chicago Club in Chicago, IL on September 17, 2022.
- Member, Pennsylvania Bar Association, Legal Services to the Public Committee, Tax Section
- Member, ABA Labor and Employment Section (Employee Benefits Committee)
- Member, Philadelphia Bar Association, Pension Plan Committee, and Employee Benefits Committee (Co-Chair)
- Member, American Bar Association, Tax Section – Low Income Taxpayer Committee
- Member, IRS Mid-Atlantic Area Pension Liaison Group
- Treasurer, AccessMatters
- Finance Committee, Philadelphia VIP, Inc. (Volunteers for the Indigent Program)
- Member, IRS Advisory Committee on Tax Exempt and Government Entities (ACT), 2014 – 2017; Chair, 2017
- Adjunct Faculty Member, Temple University Beasley School of Law, Graduate Tax Program
- Vice President, Temple Beth Zion-Beth Israel, Philadelphia

Speeches & Presentations

- Presenter, Philadelphia Bar Association CLE—What Every Attorney Needs to Know About Nonqualified Deferred Compensation, May 10, 2022.

Assistant: Judy Palumbo

Direct: 215-575-7197

 jpalumbo@dilworthlaw.com

Practice Areas

- [Employee Benefits](#)
- [Tax](#)
- [Health Care](#)

Education

- LL.M., Taxation, Temple University School of Law, 1987
- J.D., Villanova University School of Law, 1984
- B.A./M.A., History, Johns Hopkins University, 1981

Bar Admissions

- Pennsylvania, 1984
- New Jersey, 1985
- District of Columbia, 1988
- United States Court of Appeals Third Circuit, 1988
- United States District Court Eastern District of Pennsylvania, 1987
- United States Tax Court, 1986

Languages

- Hebrew

- Presenter and co-planner, Philadelphia Bar Association CLE 2021 Employee Benefits Update—What Every Attorney Needs to Know, May 25, 2021.
- Moderator and panelist 2021 TE/GE Joint Council Employee Plans Meeting, IRS Practitioner Panel, February 2021.
- Moderator and panelist 2020 TE/GE Joint Council Employee Plans Meeting, News From EP Examinations, and EP Rulings and Agreements.
- Presenter, "Information Session on Small Business Relief Programs," for Congressman Dwight Evans' virtual seminar, January 19, 2021.
- Presenter, "What Employers Need to Know," breakfast seminar presented with other Dilworth Paxson LLP attorneys in conjunction with Univest Insurance, Inc. regarding 2018 employment law and benefits updates for employers, November 7–9, 2017.
- Co-presenter, What You Need to Know about ACA Reporting and Related Compliance Issues, July 21, 2015.
- Presenter, *Nonqualified Deferred Compensation Plan Options for Small-and Medium-Sized Law*, American Law Institute's CLE Seminar "Implementing the Best Retirement Plans for Your Attorneys: What Law Firms Should Know & Do," May 11, 2015.
- Co-presenter, Construction Accounting and Financial Reporting Seminar, Plymouth Meeting, PA, November 18, 2014.
- Instructor, *Retirement Plans Boot Camp*, PEBA, June 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019.
- Instructor, Multiemployer Plans, Temple University School of Law Graduate Tax Program, July 2013.
- Presenter, Greater Valley Forge Human Resource Association Workshop: "The Affordable Care Act: What Employers Need To Know and Do Now," June 2013.
- Moderator/Presenter, *ERISA Update*, Pennsylvania Bar Institute, June 2015.
- Moderator/Presenter, *Your Employee's "New" Family*, Pennsylvania Bar Institute, April 2014.
- Moderator/Presenter, *ERISA Update*, Pennsylvania Bar Institute, February 2013.
- Presenter, *401K Plan Fee Regulations: From Paper to Practice*, Center for Competitive Management, September 2012.
- Instructor, *Tax Policy: Employee Benefits and the 2012 Election – Multiemployer Pension Plans*, Temple University School of Law Graduate Tax Program, June 2012.
- Course Planner and Presenter, *Fundamentals of ERISA*, Pennsylvania Bar Institute, June 2012.
- Instructor, *Introduction to Taxes*, The Philadelphia School, Philadelphia, PA, Spring 2011.
- Presenter, *Ensuring Third-Party Sick Pay Compliance*, The Center for Competitive Management, August 2008 (repeated on several occasions in 2009, 2010, 2011, and 2012).
- Presenter, Health Care Reform: Employer Readiness, Dilworth Paxson Client Seminar, March 2012.
- Presenter, *Employer Health Plans, Fundamentals of ERISA – Mystery Solved*, Pennsylvania Bar Institute, June 2010.
- Presenter, *403(b) in Turbulent Waters, NPO Cooperation Circle*, September 2008.
- Presenter, *Employee Benefits Update*, Human Resource Information Group, January 2007.

Publications

- Co-Author, Governmental Plan Relief re: COVID-19, The NAPPA Report (National Association of Public Pension Attorneys), October 2020.
- Co-Author, Chapter on Pension Claims and ERISA, Norton Bankruptcy Law and Practice, 2020.
- Author, ERISA: A Comprehensive Guide, Employee Benefits in Bankruptcy, Fall 2013, 2014, 2015, 2016, 2017, 2018 and 2019 Editions.
- Co-Author, Responding to PBGC Termination of Benefits Plan, Lexis Practice Advisor and LAW360, June 2019.
- Author, ERISA Sec. 4062(e): A Potential Liability for the Unwary Downsizing Pension Plan Sponsor, Corporate Business Taxation Monthly, February 2013.
- Author, ERISA Sec. 4062(e): A Potential Liability Trap for the Unwary Pension Plan Sponsor, Corporate Business Taxation Monthly, May 2012.
- Author, Section 409A of the Internal Revenue Code: Compliance Issues Update Regarding Non-Qualified Deferred Compensation, Philadelphia Bar Association Probate, and Trust Law Section Newsletter, January 2007.

Professional Recognition

- Selected to The Best Lawyers in America®, 2022
- Named to the Pennsylvania Super Lawyers list, 2014–2019, 2022 (Employee Benefits)
- Received the Legal Clinic For The Disabled Special Service Award, 2019
- Received the Villanova Law Alumni Association Award for Public Service, 2017
- Philadelphia VIP, Inc. (Volunteers for the Indigent Program), Volunteer of the Month, October 2007
- Elected by the Board of Governors of the American College of Employee Benefits Counsel to be inducted as a Fellow in the College at the College's Annual Dinner on September 17, 2022

Further information on methodologies is available via [these links](#).

Insights

- [26 Attorneys Named Among the Best Lawyers in America](#)

- [Important Updates to the IRS Employee Benefit Plans Correction Programs](#)
- [Tax Provisions Included in President Biden's Newly-Proposed American Families Plan](#)
- [Refresher: Provisions of the Consolidated Appropriations Act of 2021 Applicable for Employers and Business Owners \(the "Stimulus Bill"\)](#)
- [COVID-19 Vaccine: Considerations for Employers](#)
- [IRS Issues New PPP Guidance Regarding Taxpayer's Deductibility of Certain Expenses in 2020](#)
- [ALERT: End of Year Estate, Gift and Income Tax Update](#)
- [Treasury Clarifies Recent PPP Guidance](#)
- [ALERT: Amendment to CARES Act Adds Flexibility to Paycheck Protection Program](#)
- [Cafeteria Plan Election Changes and Claim Extensions – A COVID-19 Update](#)
- [ALERT: Retirement Plan Deadlines Extended](#)
- [Important COVID-19-Related COBRA Relief Guidance](#)
- [Issues for Employers to Consider Regarding Their Sponsored Retirement Plans During the COVID-19 Pandemic](#)
- [\\$2 Trillion CARES ACT Signed into Law March 2020](#)
- [Coronavirus Alert: What You Need to Know About the Families First Coronavirus Response Act](#)
- [Nonprofits Rejoice! Congress Repeals Nonprofit "Parking Tax" and Provides for Flat Rate Excise Tax on Private Foundation Net Investment Income](#)
- [Dilworth Paxson's Matthew I. Whitehorn to Receive the 2019 Special Recognition Award for Pro Bono Work from the Legal Clinic for the Disabled](#)
- [Nineteen Dilworth Attorneys Named 2019 Pennsylvania Super Lawyers and Rising Stars](#)
- [Join Dilworth Paxson & Citrin Cooperman for a Seminar on December 12: "Business Planning & Tax Reform Changes – Understanding The Impact to You & Your Business"](#)
- [IRS CURTAILS STATES' CONTINUED FIGHT FOLLOWING TAX REFORM: PER IRS LAST DAY FOR CONTRIBUTIONS IS TODAY.](#)
- [Join Dilworth Paxson's Tax Group for a Seminar in Princeton, NJ on August 23: "Understanding the Tax Cuts and Jobs Act"](#)
- [Twenty-One Dilworth Attorneys Named 2018 Pennsylvania Super Lawyers and Rising Stars](#)
- [Dilworth Paxson's Matthew Whitehorn and Stephanie Searles Vogel to Present Penjerdel Employee Benefits and Compensation Association's "2018 Retirement Boot Camp" on May 17](#)
- [Association Health Plan \(AHP\) Update](#)
- [New Mortality Table For Defined Benefit Plans](#)
- [Tax Reform Update](#)
- [Seminar on November 7 – "Preparing for 2018: What Employers Need to Know"](#)
- [Dilworth Paxson's Matthew Whitehorn and Stephanie Searles to Present Penjerdel Employee Benefits and Compensation Association's "Retirement Plans Boot Camp 2017" on June 8](#)
- [Dilworth Attorneys Named 2017 Pennsylvania Super Lawyers and Rising Stars](#)
- [Dilworth's Matthew I. Whitehorn To Receive Award For Public Service From Villanova Law School Alumni Association](#)
- [Dilworth's Matthew Whitehorn Appointed Chair of Internal Revenue Service's Advisory Committee](#)
- [Dilworth Attorneys Named 2016 Pennsylvania Super Lawyers And Rising Stars](#)
- [ERISA Plan Fiduciaries Must Aggressively Pursue Subrogation Rights or Potentially Lose Out](#)
- [Dilworth Attorneys Named 2015 Pennsylvania Super Lawyers And Rising Stars](#)
- [Under Cromnibus, Multiemployer Pension Plans Can Cut Benefits and Other Key Recent Pension Law Changes](#)
- [Are You in Compliance with the Affordable Care Act?](#)
- [Dilworth Attorneys Named 2014 Pennsylvania Super Lawyers and Rising Stars](#)
- [Retirement Plan Amendments May Be Required To Reflect Supreme Court's Holding in Windsor Regarding Same-Sex Marriages](#)
- [ACA Update: Why Your Company Should Be Tracking Employees' Hours Now](#)
- [Supreme Court Requires FICA Withholding for Certain Severance Payments in Quality Stores Ruling](#)
- [Dilworth Attorneys Speaking for The Greater Valley Forge Human Resource Association](#)
- [Webinar: Patient Protection & Affordable Care Act: Employer Considerations and Responsibilities](#)
- [ERISA Update](#)