

Morgan Lewis



MARY B. HEVENER **PARTNER**

mhevener@morganlewis.com

Washington, DC Phone **+1.202.739.5982** Fax **+1.202.739.3001**

1111 Pennsylvania Ave. NW \\ Washington, DC 20004-2541 \\ United States

Mary B. “Handy” Hevener helps US and multinational enterprises minimize corporate payroll taxes and maximize benefits-related tax deductions. She focuses her practice on the tax treatment of employee and independent contractor benefits outside qualified retirement plans, including stock options and other stock-based compensation; executive income deferrals; golden parachutes; and fringe benefits that range from health and life insurance, to employee loans, cars, planes, and prizes.

Handy also advises on executive benefits triggered by corporate mergers and acquisitions (M&A), and spinoffs, including golden parachute issues and stock option deduction allocations. She counsels on the design of compensation and benefit programs, as well as employment and consultant contracts. She handles corporate and payroll tax audits at both the US federal and state levels, penalty abatements, and Internal Revenue Service (IRS) ruling requests.

She also is a lead attorney in tax litigations of first impression, including the payroll taxation and deduction of employee meals; corporate aircraft deductions; stock option taxation; the FICA taxation of tipped employees’ compensation; and the tax treatment of payments (including termination and settlement payments) to former employees made outside qualified retirement plans.

Handy is part of a group handling audits and appeals involving payroll tax, airline excise tax, and corporate deduction issues for companies in the healthcare, airline, and technology industries where the proposed taxes and penalties, in the aggregate, total more than \$1 billion. These cases affect US and overseas employees receiving stock options, reimbursements for travel costs and moving expenses, tax return preparation, and meals in company cafeterias.

Listed in *Chambers USA: America’s Leading Lawyers for Business* (2011–2015), Handy is co-leader of the firm’s Fringe Benefits and Payroll Tax Task Force. As such, she often works in concert with lawyers from the employee benefits and executive compensation, and tax practices.

Prior to joining Morgan Lewis, she served as an attorney-adviser for the US Treasury Department’s Office of the Tax Legislative Counsel. In that role, she focused on tax issues

affecting current and deferred employee benefits (including parachute payments), and tax-exempt organizations. She also worked on legislation and IRS guidance affecting alternative minimum taxes, Social Security taxes, and a variety of excise taxes.

Handy has served for 30 years as a member of the New York University's Institute on Federal Taxation's Advisory Board, and she speaks frequently before the Tax Executives Institute. As a volunteer, she served as one of the original members of the Information Reporting Program Advisory Committee to the IRS.

AWARDS AND AFFILIATIONS

Listed, *Chambers USA: America's Leading Lawyers for Business* (2011–2015)

Listed, *The Best Lawyers in America* (2005–2016)

Member, American Bar Association

Member, District of Columbia Bar Association

Member, Virginia State Bar Association

ADMISSIONS

- › District of Columbia
- › U.S. Court of Federal Claims
- › U.S. District Court for the District of Columbia
- › U.S. Court of Appeals for the District of Columbia Circuit
- › U.S. District Court for the District of Nebraska
- › U.S. Courts of Appeals for the Sixth, Eighth, Eleventh, and Federal Circuits
- › U.S. Supreme Court

EDUCATION

- › University of Virginia School of Law, 1978, J.D., With Honors
- › Wellesley College, 1974, B.A., Cum Laude

SECTORS

- › Life Sciences

SERVICES

- › Labor, Employment & Benefits
- › Tax
- › Fringe Benefits & Payroll Tax
- › Mergers & Acquisitions
- › Life Sciences Transactions

REGIONS

- › North America