RAY QUINNEY & NEBEKER

## John R. Madsen

Shareholder

801-323-3342

## Practice Areas

- Business Formation, Planning and Transactions
- Employee Benefits Planning, Retirement Plans and ERISA
- Estate and Trust Planning and Administration
- Automobile Dealer Law

### Estate and Trust Planning and Administration

Mr. Madsen spends considerable time advising clients and implementing plans involving the transfer of property both during lifetime and at death. In addition to drafting last wills and testaments and revocable trusts, he counsels and assists clients in utilization of various sophisticated estate planning techniques, including such things as limited liability companies or family partnerships, dynasty trusts, charitable trusts and irrevocable trusts. Mr. Madsen's practice also includes trust administration, the probate of estates and the filing of complicated estate tax returns.

### Business Formation, Planning and Transactions

Mr. Madsen has broad experience in advising clients in the formation, acquisition, merger, sale or termination of businesses (i.e. corporations, general and limited partnerships and limited liability companies), with an emphasis in dealing with owners of closely held businesses involving professionals (i.e. doctors, dentists, architects, accountants, engineers, lawyers, etc.).

### Employee Benefits Planning, Retirement Plans and ERISA

Mr. Madsen also spends considerable time in employee benefits and retirement planning, with an emphasis on qualified retirement plans. Mr. Madsen has assisted in the design, installation, qualification, amendment and termination of qualified retirement plans, including plans such as 401(k), profit sharing, money purchase, defined benefit and ESOP plans. He assists in handling audits conducted by the Internal Revenue Service or Department of Labor and responds to questions that arise in the day-to-day operation of retirement plans.

In addition, with regard to the individual plan participant, Mr. Madsen advises with regard to the designation of beneficiaries for retirement plans and IRA's (as a part of the overall estate plan) and the strategic options available and appropriate (including rollovers to IRA's) not only at the time of accrual of benefits but also at the time of retirement, required plan distributions and post-death distributions.

Mr. Madsen's practice emphasis also includes nonqualified deferred compensation arrangements and executive compensation.

Mr. Madsen has been recognized by Chambers USA in High Net Worth (Band 1) and was included in the Spotlight Table in Labor & Employment: ERISA, a top recognition for attorneys in this area of practice.  Mr. Madsen has been named as one of *The Best Lawyers in America* in Employee Benefits (ERISA) Law and Trusts and Estates, and maintains an AV Preeminent (5.0) rating with Martindale-Hubbell, which is the highest rating awarded to attorneys for professional competence and ethics. Mr. Madsen has been selected for inclusion in *Mountain States Super Lawyers* (2012-2018) in the categories of Employee Benefits/ERISA, Estate Planning & Probate and has also been voted by his peers throughout the state as one of Utah's "Legal Elite," as published in *Utah Business Magazine* (2004-2005, 2014-2018).

## Education

**Brigham Young University**, J.D., 1984

- *cum laude*

**Brigham Young University**, B.S., Accounting, 1981

- *cum laude*

## Prior Professional Experience

- Associate, Nielsen & Senior, Salt Lake City, Utah, 1984-1989

## Admitted to Practice

- Utah State Bar
- United States District Court, District of Utah
- United States Tax Court
- Utah Supreme Court

- Wyoming Supreme Court

## Affiliations / Memberships

- Fellow, American College of Trust and Estate Counsel (ACTEC)
- Utah State Bar, Taxation and Probate and Estate Planning Sections
- Western Pension and Benefits Conference, Salt Lake City Chapter
- Salt Lake Estate Planning Council

## Publications / Presentations

- Author: Unintentional Injuries to Persons or Property/Owner and Occupier Liability, BYU JOURNAL OF LEGAL STUDIES (1984)