



Mark Muedeking

Retired Partner

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Mark Muedeking's primary substantive areas of practice include executive compensation and employee benefits matters.

Mark regularly represents publicly traded and private companies, boards of directors, executives, plans, plan sponsors and fiduciaries in a broad range of employee benefits and executive compensation matters. He advises several of our largest public clients regarding the development and operation of benefit plans and executive compensation arrangements, including compliance with applicable tax, securities, corporate and governance rules.

He also regularly represents clients in litigation of benefits and executive compensation matters, which gives him a unique perspective in advising clients. Recent litigation experience in these matters includes:

- *Sacerdote, et al. v New York University*, 1:16-cv-6284, the United States District Court for the Southern District of New York entered judgment for NYU on all counts following an eight-day bench trial
- *Jacobs, et al. v. Verizon Communications, Inc., et al.*, pending in the United States District Court for the Southern District of New York, 1:16-cv-01082
- *Vasquez v. Marriott International*, pending in the United States District Court for the Middle District of Florida, 8:17-cv-00116 –MSS-MAP
- *Sacerdote, et al. v New York University*, pending in the United States District Court for the Southern District of New York, 1:16-cv-6284
- *Bond, et al. v. Marriott International, Inc.*, 2014 WL 53950 (D. Md. 2014) Obtaining dismissal of putative class action challenging administration of stock plan
- *Mejia v. Verizon Management Pension Plan, et al.*, 2013 WL 1337191 (N.D. Ill. 2013) Obtaining dismissal with prejudice of putative class action challenging tax treatment of with prejudice
- *In re Constellation Energy Group, Inc.*, 738 F. Supp. 2d 602 (D. Md. 2010) Obtaining dismissal of putative class action involving fiduciary claims relating to stock price
- Obtained dismissal for *MGM Mirage* of several cases challenging administration of executive compensation plans
- Obtained dismissal of two putative class actions against the National Railroad Passenger Corporation (Amtrak) and its Board of Directors regarding actions taken with respect to administration of benefit plans

- Corporate
- Tax
- Employment
- Litigation, Arbitration and Investigations
- Employee Benefits and Executive Compensation

- Healthcare

- Arbitration of matters related to change in control severance plans following acquisition of publicly traded company

CREDENTIALS

Admissions

- District of Columbia
- Maryland
- Supreme Court of the United States

Prior Experience

Prior to joining the firm, Mark was a Trial Attorney for the United States Department of Justice, Tax Division. Hired under the Attorney General's Honors Program, his experience included representation of the United States in complex civil tax litigation in the United States District Courts; he received the Tax Division's Outstanding Attorney Award.

Mark took a leave of absence from the firm to serve as the Managing Director and General Counsel of the United States Olympic Committee and a member of the US Olympic Team staff for the Summer Olympic Games in Sydney, Australia. Hired to implement governance improvements resulting from the Salt Lake City bid scandal, he was responsible for managing all legal affairs of the organization. He is currently an arbitrator for the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, and the American Arbitration Association (AAA), and serves as an arbitrator of sports disputes for Olympic and professional sports.

Recognitions

The respected research firm Chambers & Partners has recognized Mark in *Chambers USA* and has described him as "highly regarded." The directory commented that "[h]e is particularly noted for his employee benefits and executive compensation expertise and prowess in disputes" and he "is widely appreciated for his impressive knowledge." Market observers have praised him for being "very skilled in executive compensation." The directory has also said he is "well known for assisting clients with employee benefit plan transactions, such as ESOP acquisitions, and ERISA compliance." Mark is also recommended in the respected legal directory, *The Legal 500 United States* for his employee benefits and executive compensation work and is described as an "amazing" lawyer who is "praised for his 'knowledge and responsiveness.'"

Mark was named a 2019 Employment Trailblazer. The publication highlighted his successful defense of New York University in two-related class action suits alleging ERISA violations associated with retirement plan offerings, in which he secured a victory following a two-week bench trial in the first suit and a dismissal of the second.

Education

- J.D., University of Notre Dame
- LL.M., Georgetown University
- B.A., St. John's University
cum laude

OTHER ACTIVITIES

- Chair, National Ethics Standards Committee, Standards for Excellence Institute for Nonprofit Organizations
- 2013 National Security Seminar, US Army War College
- Trustee, US Army War College Foundation
- General Counsel, National League of Cities
- General Counsel, Snowsports Industries America
- Worked with Senator George J. Mitchell to conduct an independent investigation into alleged illegal use of steroids and other performance-enhancing substances in Major League Baseball

NEWS

DLA Piper advises Akoya Biosciences in its US\$151 million initial public offering

3 May 2021

DLA Piper represented Akoya Biosciences, Inc. (Nasdaq: AKYA) in its recent initial public offering of 7,567,000 shares of its common stock at a price of \$20 per share, including the exercise of the underwriters' option to purchase 987,000 shares of common stock, less underwriting discounts and commissions.

DLA Piper advises Qualcomm in US\$1.4 billion acquisition of NUVIA

15 January 2021

DLA Piper represented Qualcomm Technologies, Inc., a subsidiary of Qualcomm Incorporated, in the acquisition of NUVIA, a world-class CPU and technology design team, with industry-leading expertise in high performance processors, for approximately US\$1.4 billion before working capital and other adjustments.
