



**Nicole Bogard is a trusted adviser who provides practical counseling and advice on employee benefits to in-house counsel, executives and total rewards teams. She communicates complex tax and ERISA regulatory guidance in a clear and understandable manner.**

For a number of clients, Nicole serves as an extension of their benefits and rewards department, designing compliant total rewards programs that facilitate her clients' business objectives. For publicly traded and private companies, predominately in the financial services, healthcare and restaurant sectors, as well as tax-exempt entities, Nicole regularly advises on retirement plans, including 401(k) plans, pension plans and government correction programs for fixing plan operational errors.

Nicole provides counseling on employee benefit plan governance, fiduciary obligations and fiduciary training. She also provides pragmatic advice to plan sponsors and plan committees on the design, operation and tax implications of employee benefit plans, including 401(k) plans, 403(b) plans, deferred compensation plans, 457(f) plans, flexible benefit plans, health and welfare plans, wellness programs, health reimbursement accounts, health savings accounts, retiree health plans and severance plans.

Nicole develops documentation for employee benefit plans, including plan documents, wrap plan documents, summary plan descriptions and plan administrative forms in compliance with the tax code, ERISA and related regulations. She also advises on the Patient Protection and Affordable Care Act (Health Care Reform), the HIPAA privacy and security rules, COBRA, GINA (Genetic Information Non-Discrimination Act) and the nondiscrimination rules that apply to employee benefit plans.

Additionally, Nicole assists clients with understanding ERISA fiduciary obligations, negotiating third-party administrator services agreements for employee benefit plans, Department of Labor (DOL) audits and Internal Revenue Service (IRS) audits. She also counsels clients on employee benefit issues related to mergers and acquisitions.

Nicole stays abreast of constantly evolving tax, benefits and executive

## Nicole D. Bogard

### Partner

3340 Peachtree Rd NE  
Suite 2900  
Atlanta, GA 30326-1092

24 Frank Lloyd Wright Drive  
Suite A-3300  
P.O. Box 511  
Ann Arbor, MI 48105

P 404-264-4016  
F 404-264-4033  
[nicole.bogard@btlaw.com](mailto:nicole.bogard@btlaw.com)

### EDUCATION

Marquette University Law School, (J.D.),  
cum laude

University of Michigan, (B.A.)

### BAR ADMISSIONS

Florida

Georgia

Michigan

Wisconsin

### LANGUAGES

English

### PRACTICES

Benefits and Compensation

Data Security and Privacy

Emerging Companies and Venture  
Capital

Labor and Employment

Mergers and Acquisitions and Private  
Equity

compensation related laws to help her clients adapt their practices, remain compliant and leverage new opportunities. Keeping up-to-date also allows her to continue to be a frequent national speaker on Health Care Reform and a variety of employee benefit topics for clients and professional organizations.

## **Honors**

The Best Lawyers in America, 2019-2024