

Glenn T. Infinger

Partner | Atlanta

Glenn T. Infinger is a Partner in the Executive Compensation and Employee Benefits Practice of Smith, Gambrell & Russell, LLP.

Mr. Infinger advises clients with respect to a broad range of employee benefits and human resources matters, with emphasis on compensation and benefits issues affecting executives, senior management and Boards of Directors. He serves as ERISA and executive compensation counsel to a number of public companies and large private employers.

His practice focuses on:

- The design, drafting and compliance-focused administration of executive compensation and benefit arrangements, with emphasis on compliance with Internal Revenue Code sections 409A, 83, 280G and 162(m).
- Structuring, implementing and maintaining equity, quasi-equity and other incentive pay plans and programs.
- Designing, drafting and negotiating terms of executive employment and separation agreements.
- Structuring and implementing change in control plans and agreements, including planning with respect to excise tax treatment and consequences.
- Designing and implementing nonqualified deferred compensation and benefit plans.
- Assisting publicly-traded companies in regard to disclosure and related issues under federal securities laws and stock exchange listing requirements in connection with executive compensation and stock incentive plans.
- Advising benefit plan administrators and fiduciaries in regard to investment and other fiduciary activities and governance matters.

Mr. Infinger received his undergraduate degree from Campbell University, and his J.D. from the University of South Carolina School of Law. He is a member of the State Bar of Georgia and the State Bar of Texas. Mr. Infinger is a member of the Board of Trustees of Campbell University.



Contact

p: 404-815-3950

f: 404-685-7250

e: ginfinger@sgrlaw.com

Areas of Practice

Executive Compensation and
Employee Benefits

Admissions

Georgia

Texas

Recognitions

Martindale-Hubbell® AV

Preeminent Rating

Representative Experience:

- Assisted a publicly-traded company in designing and implementing a new omnibus stock plan, including drafting of plan documents, award agreement templates, board resolutions and proxy disclosures in connection with shareholder approval.
- Worked with Compensation Committee chair for an NYSE company in negotiating and drafting an employment agreement with incoming CEO.
- Assisted a privately-held corporation's leadership team in designing and implementing a long-term incentive program offering phantom stock appreciation rights, as well as short-term payouts subject to meeting certain financial targets.
- Advised companies that are subject to the \$1 million compensation deduction limit for certain executives under federal tax law regarding avoidance of the deduction cap and transition planning following repeal of certain widely-used exemptions.
- Represented the CEO of a private-equity controlled company in renegotiating the terms of his employment agreement and implementation of a new incentive compensation program for the senior management team.
- Prepared new broad-based severance pay plans for company management and non-management employees.
- Assisted an employer organized as an LLC (taxable as a partnership) in design and structure of incentive compensation arrangements for key employees, including implementation of new quasi-equity awards (ownership units) and equity grants (profits interests).
- Advised independent compensation consultants regarding legal developments involving compensation paid to members of Boards of Directors and implications of recent Delaware cases.
- Assisted in design and issuance of equity interests to senior management of a private equity portfolio company including participation in the fund's distribution waterfall.