

TRUCKER ♦ HUSS

A PROFESSIONAL CORPORATION

♦ Charles A. Storke

Charles Storke joined Trucker Huss as of counsel in early 1996 and has been a director in the firm since 1998. Before that, he spent more than 25 years at Pillsbury Madison & Sutro, where he had been a partner since 1978. He has over 30 years of experience in the employee benefits field, and specializes in representing regional, state-wide and local multiemployer pension and health and welfare plans, including the Western Conference of Teamsters Pension Trust Fund, the largest Taft-Hartley trust in the United States.



With this background, Mr. Storke has developed substantial expertise in evaluating the legal implications of plan investments in the many new investment vehicles available to large pension plans; harmonizing the sometimes dissimilar interests of a large body of participants working in a variety of jobs for large and small employers; the criteria trustees may properly use in selecting plan investments (e.g., "social investing," union versus nonunion companies); reconciling the diverse and sometimes conflicting perspectives, interests and opinions of the individual trustees so they can reach a collective decision that conforms to the fiduciary standards of the governing law; overcoming the inherent conflicts that arise when trustees are selected by contributing employers and union bargaining representatives (these same trustees, when not wearing their fiduciary hats, often meet each other as adversaries across a collective bargaining table).

Mr. Storke is an expert on fiduciary liability insurance coverage issues; his reputation and many years of experience have also proved invaluable in obtaining and preserving fiduciary liability insurance for Taft-Hartley trustees at a reasonable cost. He has considerable knowledge and experience with tax-qualification and other Internal Revenue Code issues for multiemployer pension plans, particularly those covering non-bargaining unit employees of contributing employers.

He has participated in the development of innovative managed health care programs for several multiemployer plans covering thousands of forest products and food processing workers in the western United States and has assisted those plans in evaluating the legal risks associated with the implementation of aggressive cost-containment programs. He has been instrumental in designing and implementing a hybrid defined benefit-defined contribution multiemployer pension plan structure that gives Taft-Hartley trustees wide flexibility in maintaining negotiated pension levels while providing significant allocations to individual accounts for participants.

Mr. Storke has advised plan sponsors on the fiduciary responsibility and prohibited transaction issues involved in a variety of single customer and pooled investment arrangements. He has represented plan fiduciaries in connection with Department of Labor and Internal Revenue Service audits and federal court litigation under ERISA, and has represented multiemployer pension plans in defending challenges to the enrolled actuary's determination of unfunded vested benefits liabilities in connection with employer withdrawal liability assessments under the Multiemployer Pension Plan Amendments Act of 1980. He has counseled trustees of financially troubled pension plans on their responsibilities under the funding provisions of the Pension Protection Act and the parties who sponsor those plans on the implications of those funding requirements for their labor negotiations.

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Education

> J. D., 1970
Hastings College of the Law
University of California, San Francisco
Class Valedictorian

Order of the Coif
Editor-in Chief, Hastings Law Journal

- > Bachelor of Arts in History, 1967 University of California, Santa Barbara

Professional Career

- > *1996 - Present*
Director (Of Counsel prior to 1998)
Trucker Huss
San Francisco, California
- > *1970 - 1996*
Associate & Partner
Pillsbury Madison & Sutro
San Francisco, California

Professional Licenses and Affiliations

- > Member, The State Bar of California
- > Member, Bar Association of San Francisco
- > Member, American Bar Association (member of Employee Benefits Committee for the Section of Taxation)
- > Member, Western Pension & Benefits Conference
- > Member, International Foundation of Employee Benefit Plans
- > Fellow, American College of Employee Benefits Counsel