

# Melissa H. Weaver

Partner



## CONTACT INFO

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## OFFICE

230 North Elm Street  
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Melissa Weaver has practiced employee benefits law for 30 years. Having previously served as an in-house attorney, she has a unique understanding of the needs of business owners regarding the design and implementation of employee benefits and deferred compensation plans.

## MY PRACTICE

### QUALIFIED RETIREMENT PLANS

Melissa works with employers to design, draft, implement and maintain qualified retirement plans that benefit both the employer and the employees. She advises on best practices and provides counsel when issues arise, whether in the context of an employer's operations, in connection with a merger or acquisition, or as the result of an investigation or audit by the Internal Revenue Service, the Department of Labor, the Pension Benefit Guaranty Corporation, or otherwise. She also assists with fiduciary compliance and education under ERISA, internal plan audits, and with the voluntary correction programs offered by the Internal Revenue Service and Department of Labor.

### EXECUTIVE AND DEFERRED COMPENSATION

Melissa has considerable experience assisting clients in the design, implementation and administration of executive compensation and non-qualified deferred compensation plans, including employment agreements, equity compensation

## PRACTICE AREAS

Business and Corporate  
› Tax  
Employment  
› Employee Benefits

## INDUSTRIES

Accounting & Professional Services  
Agribusiness  
Banking, Investment & Financial Services  
Health Care  
Insurance  
Manufacturing  
Not-for-Profits  
Retail  
Technology  
Trade Organizations

## EDUCATION

University of Virginia School of Law  
J.D., 1985; Executive Editor, *Virginia Tax Review*  
Virginia Tech  
B.S., 1982, *summa cum laude*

## BAR & COURT ADMISSIONS

North Carolina

plans, SERPs, severance agreements, and compliance with Section 409A of the Internal Revenue Code. She often advises on the treatment of such plans in the context of mergers, acquisitions and corporate reorganizations.

## HEALTH AND WELFARE PLANS

Melissa provides counsel and support in the implementation of various welfare plans, including health, life, accident, disability, cafeteria and flexible benefit plans, and compliance with ERISA, the Affordable Care Act, COBRA, HIPAA, and other federal and state laws.

## HONORS

Selected by her peers for inclusion in [\*The Best Lawyers in America\*](#)® in Employee Benefits (ERISA) Law (2018-2019)  
[AV Preeminent Peer Review Rated by Martindale-Hubbell®](#)

## COMMUNITY INVOLVEMENT

Founding member, Cardinal Chapter, National Charity League; Board member (2004-2013); President (2009-2011)  
Member, [American Bar Association, Tax Section](#)  
Member, [North Carolina Bar Association](#), Tax Section  
Member, Triangle Benefits Forum; Membership Vice President (2008-2009)  
Member, Raleigh Professional Women's Forum

## PUBLICATIONS & MEDIA

[Twenty-One Brooks Pierce Attorneys to Speak at the 2015 Festival of Legal Learning, February 10, 2015.](#)  
[The Affordable Care Act - It's Time to Start Counting Hours, April 2013](#)  
[Brooks Pierce Expands Office Scope and Capabilities in Raleigh, November 21, 2011](#)  
[Employer Duties in Providing Employee Benefits, July 30, 2010](#)  
Twelve Brooks Pierce Attorneys to Present at the Festival of Legal Learning, January 12, 2017  
The Affordable Care Act – It's Time to Start Counting Hours, April 4, 2013  
Employer Duties in Providing Employee Benefits, July 30, 2010

## SPEAKING ENGAGEMENTS

Brooks Pierce Attorneys Present on Employment Law and Benefits at NC Bankers Association HR Workshop, March 25, 2019

Twenty Brooks Pierce Attorneys to Speak at the 2015 Festival of Legal Learning, February 10, 2015

Weaver presented "The Affordable Care Act - Where Are We Now?" at The HR Group Legal Briefing, August 6, 2014

Melissa Weaver to Present at 10th Annual Employee Benefits Conference, August 29, 2013