DeWitt LLP Law Firm



Brian L. Anderson

Partner

Madison, Wisconsin

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Service Areas:

- Benefit Corporations & B Corps
- Business
- Employee Benefits
- Employee Stock Ownership Plans (ESOPs)
- Intellectual Property
- International
- Lexwork International Law Firm Network
- Tax
- Transportation & Logistics
- Trusts & Estates

Education:

- Master of Laws (taxation), New York University School of Law
- J.D., University of Wisconsin Law School
- B.A., (English and German) University of Illinois

Admissions:

- Wisconsin
- Minnesota
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Court for the Eastern and Western Districts of Wisconsin
- U.S. Supreme Court
- U.S. Tax Court

Brian is a versatile attorney, practicing in multiple areas of the law. The more arcane, detailed and complex the law, the more he enjoys it. One of his primary areas of practice is the Employee Retirement Income Security Act (ERISA), which was famously described by the U.S. Supreme Court as a “comprehensive and reticulated statute.” Another primary area of practice is tax law. The Internal Revenue Code is no exception.

He advises businesses and individuals in a variety of complex legal and tax transactions. In particular, Brian works extensively with qualified and non-qualified retirement plans and health and welfare plans. That work takes him into such complex matters as 401(k) plans, employee stock ownership plans (ESOPs), 403(b) tax-sheltered annuities, pension plans, phantom stock plans, section 125 cafeteria plans, the health-plan nondiscrimination and privacy rules under the Health Insurance Portability and Accountability Act (HIPAA), and federal health care reform. He establishes nonprofit organizations and navigates them through the tax-exemption process. He advises individuals on trust and estate matters, especially involving retirement accounts, charitable giving, or business succession planning.

Brian also enjoys working on international client matters. He represents the firm on the governing board of Lexwork International, a network of law firms in 28 countries. Although Brian speaks German fluently, he admits he could use more practice.

Languages

- German

Affiliations

- American Bar Association (member)
- American Society of Pension Professionals & Actuaries (member)
- Dane County Bar Association (member)
- ESOP Association (member, Wisconsin Chapter)
- Global Alliance of Impact Lawyers (member)
- Greater Milwaukee Employee Benefits Council (member)
- IRS Great Lakes TE/GE Council (emeritus member)
- Madison Benefits Council (member)
- Madison Estate Council (member)
- Madison Museum of Contemporary Art Foundation (chair)
- Madison Rotary Club (member)
- Madison Symphony Orchestra (director)
- Minnesota Society of Certified Public Accountants (member)
- Minnesota State Bar Association (member)
- National Council for Employee Ownership (member)
- State Bar of Wisconsin (member and former trustee)
- Williamson Street Grocery Cooperative (director)
- Wisconsin Institute of Certified Public Accountants (member)
- Wisconsin Law Foundation (fellow)
- Wisconsin Planned Giving Council (member)

Articles & Presentations

- “Benefit Corporations and B Corps: Socially Responsible For-Profit Companies” DeWitt LLP Business Law News Feed
- “A Guide for Wisconsin Nonprofit Organizations,” (Chapter on employee benefits)
- “The Wisconsin Business Advisor Series,” (Chapter on employee benefits)
- Seminar on new reporting rules for tax-exempt organizations
- Seminars on how federal health care reform affects employers
- Seminars on sales of corporations to ESOPS
- State Bar employee benefits update seminars

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Awards & Recognitions

- Best Lawyers in America® – Employee Benefits, Tax Law, Trusts and Estates – Since 2005
- “Top Lawyers” – Madison Magazine
- Wisconsin “Super Lawyer” designation by Law & Politics magazine
- Best Lawyers® “Lawyer of the Year 2025 – Trusts and Estates – Madison”
- Best Lawyers® “Lawyer of the Year 2024 – Tax Law – Madison”
- Best Lawyers® “Lawyer of the Year 2017 – Tax Law – Madison”
- Best Lawyers® “Lawyer of the Year 2016 – Employee Benefits – Madison”
- Best Lawyers® “Lawyer of the Year 2013 – Tax Law – Madison”
- Best Lawyers® “Lawyer of the Year 2011 – Trust and Estates – Madison”
- One of 6 lawyers originally appointed by the IRS as a retirement-plan member of its Advisory Committee for TE/GE

Notable Representations

- The tax consequences of anti-dilution provisions of an LLC operating agreement
- Reorganization of a cooperative and its affiliated charitable trust to preserve tax exemption
- Acquisition of a $750,000 commercial real-estate building in a tax-free like-kind exchange
- Purchase of a closely-held business with former owners agreeing to provide consulting services
- Preparation of computer software development and licensing agreements
- Service as independent trustee of a retirement plan being terminated as a result of employer bankruptcy
- Preparation of a revocable living trust and related estate-planning documents for a husband and wife with stock options worth $1 million

Service Areas Subspecialties

- Business
  - Mergers & Acquisitions
  - Nonprofit & Tax Exempt Organizations
- Intellectual Property
  - Information Technology Software
- Trusts & Estates
  - Estate Planning
  - Probate
  - Trust Administration