

# Fiduciary Services & Risk Management Practice Group

Tucker Arensberg, P.C. is a full-service law firm with offices in Pittsburgh and Harrisburg. The attorneys in our Fiduciary Services & Risk Management Practice Group provide one-stop shopping to wealth managers including banks and trust companies, investment advisory firms, brokers, and insurance companies who have assets in individual, brokerage, investment management, mutual funds, retirement, and various fiduciary accounts.

Our unique group is composed of lawyers experienced in the complex laws, regulations, and issues facing fiduciaries and wealth managers who understand the multi-faceted and highly regulated environment in which our clients operate. We assist our clients in carrying out their fiduciary duties while minimizing risk and complying with their complex and sometimes conflicting regulatory structures.

Our group has experience dealing with regulators, including state banking regulators, state insurance commissioners, the Comptroller of the Currency, the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, the Department of Labor, and the Securities and Exchange Commission.

We assemble the necessary expertise in our practice group to provide our clients with practical advice to resolve their problems.

Our services in this area include interpreting laws and regulations governing fiduciary services generally, legal opinions and interpretations, litigation including surcharge actions, counseling, compliance activities, internal training, audit responses, and assistance in developing, marketing, and maintaining new products and services.



## Below is a listing of some specific services the Group provides.

- Fiduciary liability
- Conducting legal audits
- Defense of surcharge actions
- Litigation services including third party subpoena and document productions and witness preparation
- Legal opinions and interpretations
- Examination responses
- Conflicts management
- Compliance & training programs
- Prudent Investor Rule compliance
- Principal & Income Act matters including Unitrust Conversions
- Estate, Trust, and Guardianship administrations
- Income, Gift, Estate and Generation-skipping taxes
- Trust & Estate settlement including court audits and nonjudicial settlement agreements
- Special Needs Trusts
- Beneficiary disputes
- Transfer of fiduciary accounts
- Real estate & unique asset advice
- Privacy & Security Advice
- ERISA matters
- FDIC matters
- Regulation 9
- Commingled investments (common and collective funds)
- Securities (SEC) issues
- Regulatory approvals
- Individual transactions
- Private placements



For additional information, call us at (412) 566-1212 or visit [www.tuckerlaw.com](http://www.tuckerlaw.com).



## Representative Experience

### Members of our group have:

- Represented clients in fiduciary compliance and examination issues.
- Defended clients in litigation, removal, accounting, breach of duty, and surcharge actions.
- Assisted clients in responding to regulatory audits, findings and corrective measures.
- Advised clients in responding to third party litigation subpoena and document production requests and witness preparation.
- Advised employer plan sponsors, fiduciaries and third-party vendors in ERISA matters including investment, reporting and fiduciary responsibilities, record keeping, and services contracts.
- Served as an expert witness involving the duties and responsibilities of fiduciaries including estate and trust matters including in testimony on behalf of the U.S. Securities and Exchange Commission.
- Represented banks, trust companies, investment advisers and broker dealers in fiduciary matters.
- Represented federal stock savings institution with half a billion dollars in assets with the formation of a service corporation and related applications to the US Office of the Comptroller of the Currency.
- Advised banking technology firms that provide cash sweep solutions to insured national banks and state-chartered banks on compliance with Regulation 9 of the US Office of the Comptroller of the Currency.
- Provide on-going advice to bank holding companies and affiliate investment management entities on Compliance with Bank Holding Company Act, the Investment Company Act of 1940, the broker-dealer provisions of the Securities Exchange Act of 1934, the Securities Act of 1933, and FINRA (Financial Industry Regulatory Authority) regulations.
- Supervised investigations of investment fraud, including undercover operations, and assisted federal agencies with prosecution of fraud.
- Represented the Commonwealth in civil proceedings relating to securities and investment fraud.
- Counseled investment professionals on compliance programs.
- Conducted numerous internal audits and training programs.

**TUCKER ARENSBERG**  
Attorneys

For additional information, call us at (412) 566-1212 or visit [www.tuckerlaw.com](http://www.tuckerlaw.com).

