Anthony P. DaSilva, Jr.

Partner

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Overview

As a highly-skilled compensation and employee benefits attorney, Tony advises chief executives, general counsels, boards of directors, and CHROs on tax and regulatory issues impacting compensation and benefits arrangements.

Clients appreciate Tony's ability to translate complex tax regulations into digestible advice and practical solutions.

He regularly works with public, private, and non-profit businesses on issues involving executive compensation, deferred compensation, retirement, health benefits, and ERISA. He also counsels on the formulation and implementation of governance practices for plan fiduciaries.

Prior to joining Mirick, Tony was a shareholder at Davis Malm. Tony spent that majority of his career as a Partner at KPMG.

Experience

- Advised public and private companies on the design, negotiation and implementation of employment agreements and incentive compensation programs
- Designed and drafted employment contacts, severance agreements, parachute agreements, and a variety of executive compensation arrangements for senior-level executives
- Advised and performed buy and sell side due diligence regarding

Laura Richards
Legal Support Specialist
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Education

Quinnipiac University School of Law JD (1983)

Boston University School of Law LLM, Taxation (1984)

Western Connecticut State University BA, *cum laude* (1980)

Bar Admissions

Massachusetts

Connecticut

New York

Related Services

Business Law

Mergers and Acquisitions

Securities

Tax

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compensation, benefits, tax and ERISA transaction issues

- Consulted on 280G technical issues and the golden parachute calculations
- Performed compliance review of employers' ESOP, pension and 401(k) plans for companies across a wide variety of industries
- Advised fiduciaries in the proper discharge of their duties, establishing structures and strategies to protect fiduciaries and plan sponsors from investment liability an liability from other benefit plan decisions
- Design and drafted stock and non-stock based executive compensation, key employee retention, incentive compensation and deferred compensation programs
- Prepared numerous Split Dollar Life Insurance Agreements for Credit Unions, Colleges and health care organizations.
- Assisted with the development of exit strategies for business owners
- Assisted client with merging multiple qualified retirement plans acquired in a merger transaction
- Counseled private and not for profit organizations on the tax consequences of IRC Sections 409A, 457(f), 4960, 83 and 280G

Affiliations

- Boston Bar Association
- Connecticut Bar Association
- Massachusetts Bar Association
- New York Bar Association
- International Lawyers Network
- Old Colony Hospice & Palliative Care, Board of Directors
- Guest business school lecturer at Boston University, Northeastern and Smith College

Articles & Speaking Engagements

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- "The Social Security Fairness Act is Now Law," Mirick O'Connell Client Alert, January 13, 2025
- Quoted in "Why corporate jet perks are coming under federal scrutiny," *HR Brew*, May 6, 2024
- "Compensation & Benefits Update," Mirick O'Connell Labor, Employment and Employee Benefits Annual Seminar (May 4, 2023)
- Quoted in "Considering a Voluntary Retirement Program to Cut Costs? Read This First," *P&C Specialist*, February 14, 2023
- "Equity Incentives for Employees," Organizing, Financing and Advising a Massachusetts Business chapter MCLE publication, February 10, 2022 (co-author)
- "Should Employers Consider Surcharges for Unvaccinated Workers?," Mirick O'Connell Client Alert, September 14, 2021
- "Protecting Employee Retirement Plans from Cyberattacks," *On Air with Mirick O'Connell* legal podcast (July 28, 2021)
- "DOL Issues Cybersecurity Guidance for Plan Sponsors and Fiduciaries," Mirick O'Connell Client Alert, June 28, 2021
- "Tax-Exempt Entity Retirement Plans and the Tax Consequences of Noncompliance," *Bloomberg Tax*, October 28, 2020
- "New Guidance for Tax-Exempt Organizations: Proposed IRC 4960 Regulations," *MSCPA*, August 10, 2020

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