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Webcast: DOL Proposes Safe Harbor for Alternative Investments in 401(k) Plans

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Join our lawyers for a recorded 30-minute session discussing the U.S. Department of Labor's proposed rule that would give 401(k) plan fiduciaries a clearer path to offering alternative investments, and practical considerations for plan fiduciaries and alternative asset managers. Topics include:

- Why alternatives have been rare in 401(k) plans
- What changed? Regulatory & market shifts
- The proposed rule: process-based safe harbor and the six evaluation factors
- Implications for plan fiduciaries and alternative asset managers

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PANELISTS: Eugene Scalia is a partner in the Washington, D.C. office of Gibson Dunn. He served as U.S. Secretary of Labor in President Trump’s first term and previously served as Solicitor—general counsel—of the Labor Department. He has extensive experience with ERISA and with federal rulemaking requirements. His ten successful suits over SEC rulemakings include defeat of the agency’s 2023 “private fund adviser” rule. **Jennafer Tryck** is a partner in the Orange County office of Gibson Dunn. She is a member of the Litigation, Labor and Employment, ERISA Litigation, and Class Actions practice groups, and represents plan sponsors and fiduciaries across a variety of industries, including manufacturing, telecommunications, health care, and higher education. Jennafer specializes in defending clients in high-stakes ERISA litigation in the trial courts and on appeal. **Blake Estes** is a partner in the New York office of Gibson Dunn and a member of the Investment Funds Practice Group. Blake guides alternative asset managers and broker-dealers through all aspects of the structuring, development, and distribution of private wealth-focused investment products, including interval funds, tender offer funds, Business Development Companies (BDCs), and Real Estate Investment Trusts (REITs), among other evergreen retail alts structures. **Kevin Bettsteller** is a partner in Gibson Dunn’s Century City office and a member of the Investment Funds Practice Group. His practice focuses on the regulation of investment advisers, particularly the sponsors of private equity funds, real estate funds, funds of funds, infrastructure funds, venture capital funds, credit funds, hedge funds and other private funds.

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