

Anthony E. Antognoli

Chicago, IL

☎ 312-704-3031

✉ aantognoli@hinshawlaw.com



About Tony

Tony focuses on representing clients in state and federal taxation, employee benefits, executive compensation, and tax-exempt organization issues, often as related to corporate transactions. Throughout his career, he has served as lead tax and ERISA counsel in over 100 M&A transactions across industries such as health care, technology, construction, legal services, manufacturing, and financial services.

Tony counsels employers on all aspects of qualified retirement, nonqualified deferred compensation, incentive compensation, and welfare benefit plans, including multiemployer pension plan withdrawal liability, employee stock ownership plans (ESOPs), excess parachute payments under Code Section 280G, employee benefit plans for tax-exempt or governmental employers, and educational assistance and fringe benefit programs. He also has a particular focus on compliance with 2010 health care reform legislation.

In addition to his transactional work, Tony represents clients in tax and employment litigation in the U.S. Tax Court, district courts, circuit courts in Illinois, and administrative proceedings before the Internal Revenue Service (IRS), the US Department of Labor, and State Departments of Revenue, including the Illinois Independent Tax Tribunal.

Tony has been an adjunct professor of law at Loyola University Chicago School of Law since 2007, teaching federal tax research in Loyola's tax LLM program.

He also chairs Hinshaw's Retirement Plans Committee, overseeing the design, compliance, and administration of all employee benefit plans.

Areas of Focus

Industries: Construction; Education; Financial Services; Healthcare;
Insurance Regulatory & Compliance; Insurance Transactions;
Life, Health, Disability & ERISA ; Manufacturing; Private Equity & Private Fund Formation

Services: Corporate & Transactions; Employee Benefits & Executive Compensation ;
Employee Stock Ownership Plans (ESOPs); Employment Advice & Counseling;
Employment Litigation; Labor & Employment; Mergers & Acquisitions; Tax

Experience

- Served as lead U.S. tax and employee benefits counsel in the sale of a manufacturer in the food and beverage, cannabis, and pharmaceutical industries, to a multi-national conglomerate. (2024)
- Served as lead U.S. tax and employee benefits counsel in the sale of an electrical insulation contractor for the global utility market with employees in the U.S., Europe and Brazil, to a private equity firm. (2024)
- Handled all aspects of a multi-year investigation and examination by the U.S. Department of Labor into the activities of a large Taft-Hartley health and welfare benefit fund. (2024)
- Corporate counsel to a growing technology company focused on artificial intelligence on its sale to a robot technology firm. (2024)
- Obtained full waiver of all proposed penalties and other relief for the President and CEO of a tax-exempt healthcare entity in a \$1.1 million dispute with the IRS over misallocated trust fund payroll tax deposits. (2024)
- Successfully resolved a plan operational failure for the retirement plan of a large legal services firm, completing the correction of an improper plan distribution of nearly \$2 million. (2023)
- Successfully resolved a plan operational failure for the retirement plan of a large legal services firm, completing the correction of an improper plan distribution of nearly \$2 million. (2023)
- Represented a qualified retirement plan in the complex correction of a plan operational failure involving improper plan loans through the Employee Plans Compliance Resolution System with the IRS. (2023)
- Developed and implemented the employee benefits and tax reporting structure for the U.S. subsidiary of a large U.K.-based firm in the legal services industry. (2023)
- Obtained relief of nearly \$1.6 million in tax penalties for a technology industry client undergoing an IRS audit. Hinshaw submitted a statement of reasonable cause explaining that the client's reliance on a former tax preparer was reasonable and that the client's understatement of income was a result of that reliance. The IRS agreed to waive all accuracy-related penalties for the tax years at issue. (2022)
- Represented a large private equity firm on tax and employee benefits matters in its acquisitions of multiple private medical practices around the country. (2022)
- Secured the waiver of \$13.3 million in penalties assessed by the Internal Revenue Service against a large public school district in Illinois related to compliance with reporting obligations under the Affordable Care Act. (2021)

- Co-outside legal counsel for a large religiously-affiliated health care trust that provides group health plan coverage to more than 100 Roman Catholic dioceses, archdioceses, religious communities, and other Catholic institutions across the United States. (2020-present)

Recognition

- *The Best Lawyers in America*®, Employee Benefits (ERISA) Law, 2024, 2026
- *Leading Lawyers*, Emerging Lawyer, 2015 – 2016; Leading Lawyer, Employee Benefits Law, 2018 – present
- *Illinois Super Lawyers*, Rising Star, 2012 – 2015

Credentials

Education

Loyola University Chicago School of Law, JD, Certificate in Tax Law, 2000

University of Illinois at Urbana-Champaign, BS, Finance, 1997

Bar Admissions

Illinois

Court Admissions

US Tax Court

Interests

Did you know...

Tony is now “retired” from his very rewarding and at times victorious career in youth sports, coaching his four children. From 2012 to 2023, he volunteered as head coach or assistant coach for multiple teams in baseball, basketball, soccer, flag football, and girls softball, participating in local and travel leagues affiliated with Naperville Little League Baseball, Naperville Park District, Lisle Baseball/Softball, Wheatland Athletic Association, and Lisle/Woodridge Park District.

Tony and his family are active members of St. Margaret Mary Catholic Church in Naperville, Illinois, where they have volunteered in recent years to lead the annual Parish “Chili Cook-Off.”

Thought Leadership

Presentations

Tony is a frequent speaker and lecturer on tax and employee benefit topics in venues across the country. Among his presentations are the following:

- Co-Presenter, “Fiduciary Responsibility: Understanding Your Duties and Obligations,” Hinshaw’s 29th Annual Labor & Employment Seminar, Schaumburg, Illinois, October 9, 2025
- Keynote Speaker, “Fighting the Good Fight: How the Reta Trust is Addressing Challenges from Secular Mandates,” 2024 Executive Committee Meetings of the Reta Trust, Denver, Colorado, June 12, 2024
- “Feeling Secure with SECURE 2.0,” Hinshaw’s 27th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 19, 2023
- Co-Presenter, “Update on Employee Benefit Plans,” Hinshaw’s 26th Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 27, 2022
- “Defining Health Plan Eligibility in an Evolving Landscape,” 2022 Reta Trust Annual Meeting, Las Vegas, Nevada, October 20, 2022
- “What’s on the Legal Horizon for Catholic Health Plans and Entities,” Board of Trustees Meeting for the Reta Trust, San Francisco, California, December 10, 2021
- Co-Presenter, “Insights and Practical Considerations for Business Owners and Lenders Navigating the COVID-19 Pandemic,” Seminar and Webcast of the State Bar of Wisconsin, April 17, 2020
- Co-Presenter, “[Navigating the COVID-19 Pandemic: Insights and Practical Considerations for Business Owners and Lenders](#),” Hinshaw & Culbertson LLP, Webinar, March 31, 2020
- “Update on Fringe Benefits,” Hinshaw’s Annual Labor & Employment Seminar, Northbrook, Illinois, November 7, 2019
- “Storms on the Horizon: Issues of Rising Concern in Employee Benefits Law,” Hinshaw’s Annual Labor & Employment Seminar, Northbrook, Illinois, October 17, 2018
- Co-Presenter, “Hinshaw Employment Webinar Series: Employer-Assisted Student Loan Repayment Programs,” Hinshaw & Culbertson LLP, Webinar, March 8, 2018
- “Employee Benefits Law – Policy, Trends and Key Issues to Consider in the Trump Era,” Hinshaw’s Annual Labor & Employment Seminar, Northbrook, Illinois, October 12, 2017
- “Illinois Secure Choice Act Requirements and Association Retirement Plans,” Technology and Manufacturing Association, Schaumburg, Illinois, February 9, 2017
- “What to Do When the Wolf Comes Knocking: Anticipating and Surviving IRS and DOL Investigations of Employee Benefit Plans,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2016
- “Group Health Plans in the ACA World,” Eighteenth Annual Spring Assembly, College of Imaging Administrators, Lisle, Illinois, May 5, 2016
- “Avoiding Fiduciary Pitfalls and Tar Pits: Best Practices for Retirement Plans,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2015
- “Practical Tips for Navigating the Latest Challenges in Employee Benefits Law,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2014
- “Health Care Reform Update,” Legislative Update, DuPage Society for Human Resource Management, Lisle, Illinois, March 20, 2014

- “A to Z for Bank ESOPs,” Community Bankers Association of Illinois Seminar for the Community Bank Attorney, Springfield, Illinois, November 15, 2013
- “The Employer Mandate Under Health Care Reform: Take a Deep Breath and Get Ready for 2015,” Annual Hinshaw Labor & Employment Seminar, Hoffman Estates, Illinois, October 2, 2013
- “Countdown to 2014 — Offering Health Care Coverage to Employees: Who, What, How, and When?” Hinshaw & Culbertson LLP, Breakfast Briefing and National Webinar, Chicago, Illinois, June 27, 2013
- “Health Care Reform Update: DuPage SHRM Legislative Update,” DuPage Society for Human Resource Management, Lisle, Illinois, March 21, 2013
- “Labor and Employment Law Update for Health Care Employers,” Hinshaw’s Annual Health Care Conference, Lisle, Illinois, November 2012
- “Affordable Care Act After the Supreme Court Decision,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2012
- “Health Care Reform: It’s Alive (for Now),” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2012
- “The Affordable Care Act: A Primer,” Significant Recent Legal Changes Impacting Wisconsin Businesses Seminar, Brookfield, Wisconsin, September 2012
- “Employee Stock Ownership Plans as a Business and Tax Planning Vehicle,” Strafford, Webinar, January 2012
- “Using Leveraged ESOPs,” Northern Trust, Chicago, Illinois, May 2011
- “The Evolving Look of Health Care Reform,” DuPage Society for Human Resource Management, Lisle, Illinois, April 2011
- “Health Care Reform: Where We Are Now,” Illinois Association of School Boards’ Joint Annual Conference, Chicago, Illinois, November 2010
- “Perspectives on Health Care Reform,” Hinshaw’s 2010 Health Care Conference, Lisle, Illinois, November 2010
- “Health Care Reform: Where We Are Now,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2010
- “Health Care Reform,” Breakfast Briefing, Hinshaw & Culbertson LLP, Chicago, Illinois, April 2010
- “Health Care Reform: The Uncertain Shape of Things to Come,” DuPage SHRM Legislative Update Meeting, Naperville, Illinois, April 2010
- “Employee Benefits Update – Health Care Reform,” Hinshaw’s Annual Labor & Employment Seminar, Hoffman Estates, Illinois, October 2009
- “Mediation Skills and Strategies,” 12th Annual Employment Labor Law Update, Illinois Institute of Continuing Legal Education, Champaign, Illinois, March 2009
- “Annual Employee Benefits Update,” Hinshaw’s Annual Labor & Employment Seminar, Oak Brook, Illinois, November 2008
- “Wellness Programs: Navigating the Waters,” 2008 Employee Benefits Seminar and Luncheon, Mid American Group, Inc., Oak Brook, Illinois, May 2008
- “Keeping Up with 403(b) Compliance,” Professional Development Alliance of Will County Boards of Education, Joliet, Illinois, January 2008

- “Employee Benefits Issues in Individual and Mass Terminations,” Effectively Dealing with Current Labor & Employment Issues Seminar, Hinshaw & Culbertson LLP, Chicago, Illinois, September 2007
- “Retaining Employees Through Employee Benefit Programs,” 2007 Annual Convention & Exposition, Life Services Network, Chicago, Illinois, March 2007
- “Selected Provisions of the Pension Protection Act of 2006,” Effectively Dealing with Current Labor & Employment Issues Seminar, Hinshaw & Culbertson LLP, Lisle, Illinois, November 2006
- “The Latest Regulatory and Legislative Changes Affecting Employee Benefits,” Effectively Dealing with Current Labor & Employment Issues Seminar, Hinshaw & Culbertson LLP, Chicago, Illinois, September 2005; and Lisle, Illinois, November 2005

Publications

- Chapter 8, “Special Employee Plan Issues Arising in Reduction in Force or the Sale of the Employer,” *Employment Termination: Procedures, Grounds, and Challenges*, Illinois Institute of Continuing Legal Education, Editions: 2011, 2013, 2018, and 2022
- Quoted, “Debt Busters,” *PLANSPONSOR Magazine*, June-July 2020
- Quoted, “7th Circuit Leaves EEOC Concerns About Employer Wellness Program Unaddressed,” *Westlaw Journal: Employment*, Thomson Reuters, February 28, 2017
- Quoted, “Is Your Business Ready to Prevent Workplace Violence?” *Crain’s Chicago Business*, September 6, 2014
- Quoted, “Weighed in the Balance,” *Poder Magazine*, October/November 2013
- Quoted, “Big Suburban Firms Joining Private Health Exchanges,” *Daily Herald*, September 9, 2013
- Quoted, “Fiduciaries Take the Heat,” *Human Resource Executive Magazine*, August 2009
- Co-Author, Comments to the Internal Revenue Service from the Chicago Bar Association’s Employee Benefits Committee on the future of the Employee Plans Determination Letter Program, August 2003
- Co-Author, “State Taxation of Business Trusts: Limits, Concerns and Opportunities,” *Journal of Multi-State Taxation*, February 2000, reprinted by *Business Entities*, September/October 2000
- Co-Author, “Fiduciary Duties Under the ‘Serious Consideration’ Standard,” *DC Plan Investing*, November 2000

Blog Posts

- Finally Some Good News for Employers Challenging Pension Withdrawal Liability Assessments, Dec 19, 2019
- Employers Need to Go Back to the Drawing Board for Their Wellness Program Incentives, Feb 11, 2019
- District Court Judge Stops HHS Regulations Regarding Contraception Mandate, Jan 15, 2019
- IRS Releases New Tables for Employee Income Tax Withholding, Jan 12, 2018
- EEOC Ordered to Reconsider What “Voluntary” Means for its Wellness Program Guidance, Aug 24, 2017

Events

- 26th Annual Labor & Employment Seminar, Thursday, October 27, 2022 | 9:00 a.m. – 5:15 p.m.

- 24th Annual Labor & Employment Seminar, November 7, 2019
- Employer-Assisted Student Loan Repayment Programs: Best Practices and Tips for Success, Mar 8, 2018
- Hinshaw's 22nd Annual Labor & Employment Seminar, Oct 12, 2017
- Hinshaw's 21st Annual Labor & Employment Seminar, Oct 20, 2016

Healthcare Alert

- New Mandate on Coverage for Contraceptives: Strategies for Organizations, Feb 3, 2012

Hinshaw Alerts

- IRS Issues Guidance on Presidential Memorandum Payroll Tax Deferral Opportunity, Sep 11, 2020
- October 1 Deadline Approaching for Employers, Including Schools, to Issue "Notice of Coverage Options" to Employees, Sep 19, 2013
- HHS Issues Draft Application for New Early Retiree Reimbursement Program, Jun 8, 2010

Hinshaw Newsletters

- Labor & Employment Chronicle - Spring 2019 Edition, May 10, 2019
- Employment Practices Newsletter - June 2016 Edition, Jun 2, 2016
- Employment Practices Newsletter - January 2016 Edition, Jan 5, 2016
- Employment Practices Newsletter - February 2014 Edition, Feb 3, 2014
- Employment Practices Newsletter - April 2013 Edition, Apr 1, 2013

In The News

- Hinshaw Attorneys Antognoli, Burman, and Harbert Author Chapters in IICLE Handbook on Employment Termination, Sep 15, 2022
- Anthony Antognoli Discusses Options and Potential Benefits of a Stand-Alone Employee Student Debt Repayment Program, Aug 12, 2020
- Hinshaw Attorneys Contribute Three Chapters to 2018 Edition of IICLE Employment Termination Handbook, Oct 31, 2018
- Anthony Antognoli Weighs in on What's Next After ACA Repeal Failure, Aug 7, 2017
- Anthony Antognoli Quoted in Crain's Chicago Business Article on Troubled Employees and Workplace Violence, Sep 16, 2014

Insights for Employers Alerts

- Reviewing Employer Health Plan Coverages in the Post-Roe Era, Jul 8, 2022
- New COBRA Rules Require Employer Action, Impose Significant Noncompliance Penalties, Apr 13, 2021

- CARES Act Program Expands Scope of Educational Assistance Plans to Include Employer Repayments of Student Loans, Apr 30, 2020
- Small- and Medium-Sized Illinois Employers: Deadlines Fast Approaching for Illinois Secure Choice Act Registration, Jun 21, 2019
- Employer-Assisted Student Loan Repayment Programs: A Possible Solution to a Growing Problem, Mar 30, 2018

Press Releases

- 102 Hinshaw Lawyers Recognized in 2026 Editions of *The Best Lawyers in America*® and *Ones to Watch*™, Aug 21, 2025
- 101 Hinshaw Lawyers Recognized in 2024 Editions of Best Lawyers in America and Ones to Watch, Aug 17, 2023
- Deal Spotlight: Client Oak Bank Acquired by Wintrust Financial Corporation, Jun 10, 2019
- 27 Hinshaw & Culbertson Attorneys Honored as Emerging Lawyers, Apr 1, 2015

Webinars

- Anthony Antognoli Presents on ERISA Duties for Retirement-Plan Committees in Co-Branded Webinar with Rothschild Investments, Oct 22, 2025
- A Group of Hinshaw Attorneys Will Review COVID-19 Considerations for Business Owners and Lenders, Apr 24, 2020
- Insights and Practical Considerations for Business Owners and Lenders Navigating the COVID-19 Pandemic, Mar 31, 2020

[View all of Tony's Insights](#)