



RELATED PRACTICES

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ATTORNEYS

- Daniel J. Buckley
- David A. Campbell
- Anthony C. Ciriaco
- Mary C. Henkel
- Laura G. Kuykendall
- Charles A. LoPresti
- Anthony J. O'Malley
- Aaron P. Rosenfeld
- Michael J. Settineri

ERISA and Employee Benefits

We have extensive experience in litigating actions involving health and welfare plans and pension plans that are subject to the Employee Retirement Income and Security Act of 1974 (ERISA). Our clients in these engagements have included insured and self-funded plans, plan sponsors, insurers, fiduciaries (and alleged fiduciaries), and service providers, such as accountants and administrators, who may become involved in cases involving the payment of benefits under employee benefit plans.

The terms of the ERISA statute have been the subject of countless decisions by the United States Supreme Court, other federal courts, and state courts that have established important rules governing ERISA litigation – rules that can change quickly in the wake of a new Supreme Court opinion. Our lawyers are knowledgeable about these rules, which can allow clients to choose whether to litigate in federal or state court, can permit clients to argue that discovery should be strictly limited to the administrative record established by the plan, and can ensure that courts apply deferential standards of review to the decisions made by employee benefit plans. Our lawyers also frequently address the different types of preemption that exist under the ERISA statute, and that shield ERISA plans, plan administrators, and claims administrators from state statutory or common law claims brought by plan participants, plan beneficiaries, or health care providers asserting claims pursuant to assignments.

Our attorneys have litigated a broad range of ERISA-related actions for our clients. Our experience includes defending clients in many different benefits actions related to Section 502 of ERISA, as well as Section 510 interference cases, delinquent contribution cases, and cases asserting breaches of fiduciary duties – among others. For years, our attorneys also have been on the cutting edge of ERISA subrogation and reimbursement litigation, in working to secure recoveries for health and welfare plans. We also have represented clients in defense of ERISA class action claims.

- Adam C. Sherman
- Bethany R. Spain
- Brent C. Taggart
- Thomas M. Tarpay
- Yolanda C. Vorys
- Robert N. Webner
- Glenn V. Whitaker

ERISA and Employee Benefits (continued)