

ERISA + Employee Benefits Litigation

ERISA has been the subject of myriad of decisions handed down by the United States Supreme Court, state courts and other federal courts. The attorneys in our employee benefits group have more than 100 years of collective experience in dealing with complex ERISA plans and are knowledgeable about the rules that can greatly impact venue decisions, discovery matters and otherwise protect administrators of ERISA plans in the context of a court's application of deferential standards of review. We also frequently address issues involving preemption that exists under ERISA in an effort to protect plan administrators from claims that are outside the parameters of ERISA.

Our ERISA litigators and corporate employee benefits lawyers work together to prosecute and defend a variety of actions brought under ERISA. In addition to handling claims for, or interference with, ERISA benefits, we assist plan sponsors, fiduciaries and plan participants with claims for breach of fiduciary duty under ERISA, both in the context of pension plans and welfare benefit plans. Our team often serves as expert witnesses with regard to litigation matters pertaining to ERISA claims and represents clients before governmental agencies, including the Internal Revenue Service, Department of Labor, and the Pension Benefit Guaranty Corp.

Our Services

- + **Benefit claims:** assisting individuals seeking benefits under a variety of ERISA plans (i.e., retirement plans, welfare benefit plans, non-qualified deferred compensation arrangements); defending businesses that create or sponsor these benefits
- + **Fiduciary claims:** helping clients understand fiduciary duties (e.g., monitoring expenses associated with pension plans) and implementing best practices and processes; defending fiduciaries against claims made in connection with these duties
- + **Divorce proceedings:** representing plan participants and alternate payees with the negotiation and drafting of qualified domestic relations orders; assisting plan administrators with determining the qualified status of a domestic relations order; representing individuals seeking recourse against plan sponsors who fail to comply with orders
- + **Expert testimony:** serving as witnesses in ERISA litigation; assisting outside litigators and the courts with the workings and intricacies of ERISA with respect to benefit claims, fiduciary duties, disclosure obligations, taxation, and other core legal principles of ERISA
- + **Bankruptcy:** assisting the bankruptcy court and lawyers with issues related to the exempt status of qualified retirement benefits
- + **Severance agreements:** enforcing employees' claims or defending employers against claims for ERISA benefits (e.g., an employee's claim of interference with ERISA rights)

Our Clients

We represent both individual participants and plan sponsors in the context of ERISA benefits and plans. Our clients range in size from single-member LLCs to large public companies.

- + **Plan fiduciaries**
- + **Union companies**
- + **Plan participants**
- + **Plan sponsors**

Contact Us

For more information on our ERISA and employee benefits litigation services, please contact Tom Sigmund.

Our Team

Tom Sigmund, Director (614-462-5462)
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Ralph Breitfeller, Of Counsel
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