

ERISA

The threat of ERISA litigation continues to be a high-risk area for companies in every industry. Jenner & Block's ERISA Litigation team combines substantive knowledge and outstanding trial skills to deftly handle complex, highly specialized ERISA claims, litigation, class actions, and arbitrations.

We proactively help clients avoid and prepare for potential litigation. We provide guidance on how to structure benefit plans in ways that help minimize litigation exposure without impairing the value employee benefits play in clients' human resources strategies. If litigation occurs, we deploy winning pre- and early trial strategies, and have the experience to aggressively defend and, if necessary, affirmatively pursue substantial and complicated ERISA litigation in trial and appellate courts throughout the country. Our team has an exceptional track record of resolving these disputes efficiently and successfully.

Decades of Experience

For decades, our ERISA Litigation team has successfully resolved cases in trial and appellate courts throughout the United States, often defeating class certification and a wide variety of claims before trial. Handling virtually every type of ERISA-related issue, we have prevailed in defending claims involving excessive fees, stock-drop cases, breach of fiduciary duty, prohibited transactions, denial of benefits, withdrawal liability, and severance claims, among many other cases.

We also have extensive experience defending clients in DOL investigations, audits involving union-sponsored health and welfare plans, as well as in bankruptcy cases.

A Proactive, Collaborative Approach

Our ERISA lawyers work proactively with in-house counsel, HR leaders, and benefits professionals to design and implement strategies that help avoid claims. To help identify proactive strategies that may reduce or eliminate litigation risk, we also conduct tailored seminars to educate HR and benefits staff on benefit-related pitfalls. Collaborating with our firm's transactional benefit lawyers, we bring a holistic understanding of ERISA legal and factual issues in the context of complex business transactions.

Experience

- Represented a client in obtaining dismissal of a putative class action alleging fiduciary breaches, interference with benefits, failure to fund a pension plan, and breach of contract, among other claims.
- Represented a client in multiple matters alleging denial of alleged vested medical benefits, defeating certification of a putative class of several thousand retirees.
- Represented a client in securing affirmance before the Ninth Circuit Court of Appeals of lower court dismissal of claim for disability benefits.
- Represented a client against multi-plaintiff claims alleging wrongful termination of retiree medical benefits.
- Represented a client in a putative class action alleging fiduciary breaches in connection with allegedly excessive fees paid to service providers for recordkeeping and managed account services.
- Represented a client in a putative class action challenging the plan's recoupment of past pension overpayments directly from participants as a breach of fiduciary duty.
- Represented a client in an action alleging improper denial of pension benefits arising out of complex company acquisitions.
- Represented a client in several actions around the country, including excessive fee claims against its 401(k) plan, as well as fiduciary breach, estoppel, benefit denial, and declaratory judgment actions against its welfare and pension plans.
- Represented a client in a variety of ERISA cases, including a putative class action alleging fiduciary breaches and prohibited transactions in connection with allegedly excessive fees paid to service providers.
- Represented a client in a number of ERISA actions involving pension overpayments, fiduciary breach allegations, and estoppel claims related to service provider activities for employer-sponsored pension plans.

Chair



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