

Benefit Claims Litigation

When plan administrative appeals do not resolve benefit claims, litigation often ensues. The stakes are raised when these lawsuits are brought as putative class actions. Our litigation team has represented plan sponsors, managed care organizations, financial institutions and service providers seeking practical representation in benefit claim lawsuits. And, because of our recognized expertise, major trade associations retain us to prepare amicus curie briefs addressing important benefit claim issues. Recent representative cases include:

- Obtained summary judgment and appellate rulings dismissing a benefit claim lawsuit based on a release executed by plan participant.
- Obtained a summary judgment ruling that a Social Security supplement benefit under a defined benefit pension plan was not protected from cutback and that it was permissible to stop payment of the benefit to participants who were receiving it.
- Defended lawsuit challenging a plan's distribution of a defined contribution plan benefit to deceased participant's beneficiaries.
- Obtained the reversal of a summary judgment ruling entered by trial court regarding the construction and interpretation of an insurance policy providing accidental death and dismemberment benefits.
- We maintain an active, nationwide litigation practice on behalf of the retirement and disability plans for National Football League players.