

Employee Stock Ownership Plans (ESOP) Litigation

The establishment and on-going administration of Employee Stock Ownership Plans (ESOPs) raise a series of complex legal issues arising under various federal and state laws. We have the experience required to defend the multifaceted claims often asserted in ESOP litigation matters. We often represent fiduciaries that make decisions with respect to the purchase of stock by an ESOP. In one recent matter, we obtained an appellate ruling and ultimately a trial court judgment in favor of a financial institution that served as trustee for an ESOP.

We also have defended board members and professional advisors to corporations primarily owned by ESOPs in participant lawsuits claiming that corporate decisions can be challenged as breaches of their fiduciary duty to the ESOP owner. Further, we have defended other law firms in litigation over the guidance they provided in the creation of ESOPs.