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EDUCATION

Georgetown University Law Center
LLM

Georgetown University
State University of New York at
Buffalo Law School
JD

Indiana University
BA, with highest honors

ADMISSIONS

New York
District of Columbia
U.S. Supreme Court
U.S. Court of Appeals Second Circuit
U.S. Court of Appeals Fourth Circuit
U.S. Court of Appeals Ninth Circuit
U.S. Court of Appeals District of

Mark C. Nielsen

Principal

Mark's background includes a broad array of multijurisdictional and complex commercial disputes, including class action litigation.

He has practiced before state and federal courts, as well as in arbitration actions, and he has been involved in all aspects of litigation—from pretrial discovery and motion practice to trial advocacy and appellate practice. He regularly represents plans, their sponsors, and insurance companies before federal and state regulatory agencies.

As a litigator, he has successfully defended plan trustees and plan sponsors in federal court against breach of fiduciary duty and prohibited transaction claims brought by the Department of Labor and plan participants and beneficiaries. These claims involved complex commercial real estate developments, stock option and stock repurchase programs, and multiple employer welfare arrangements. He has also successfully defended plans and their fiduciaries in benefit claim disputes in both trial and appellate courts, and he has successfully defended employers against claims arising under the Americans with Disability Act.

In addition, Mark regularly counsels plans, plan trustees, and plan sponsors as to their fiduciary obligations under ERISA. These include duties attendant to plan investments and transactions, as well as the requirements of federal and state health care laws, including Medicare Part D, HIPAA, COBRA, and the Age Discrimination in Employment Act.

Mark previously served as a member of the firm's Executive Committee.

PREVIOUS EXPERIENCE

Investigator with the Department of Labor's Employee Benefits Security Administration

PROFESSIONAL AFFILIATIONS

- Vice Chair, Employee Benefits Committee, Bar Association of the District of Columbia
- Co-Chair, Subcommittee on Welfare Plan Litigation, Employee Benefits Committee, American Bar Association

HONORS & DISTINCTIONS

- Listed, *The Best Lawyers in America*, Employee Benefits (ERISA) Law (2023)
 - Listed, *The Best Lawyers in America*, Litigation - ERISA (2024-2025)
 - Leading Lawyer, *The Legal 500 US*, ERISA litigation (2016, 2017, 2019)
 - Listed, *The Legal 500 US*, Employee Benefits and Executive Compensation (2013)
 - Listed, *The Legal 500 US*, Healthcare (2012, 2014)
 - Chapter Editor, *Employee Benefits Law*
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Employee benefits is such a multifaceted legal field that I knew it was an area in which I would never stop learning.