

Publications

Brief of Mid-Atlantic Medical Services, Inc. in Opposition to Petitioners' Writ of Certiorari

PUBLISHED

11/28/2005

SERVICES

On November 28, 2005, the United States Supreme Court granted petitioners' request for review in *Sereboff v. Mid Atlantic Medical Services, Inc.*, U.S. No. 05-260. This case gives the Court an opportunity to resolve the circuit split on how to apply the Court's 2002 decision in *Great-West Life & Annuity Inc. v. Knudson*, 534 U.S. 204 (2002), and determine what types of remedies constitute "equitable relief" available under ERISA § 502(a)(3).

The precise legal question before the Court is whether plans can enforce rights contained in the employer's plan document to require plan participants to reimburse medical expenses. The Sereboffs' brief was filed on January 19, 2006. MAMSI's (Mid Atlantic Medical Services, Inc. (MAMSI)) brief is due on February 23, 2006. Amicus briefs in support of MAMSI are also due by February 23, 2006. The Sereboffs' reply is due by March 21, 2006. The Supreme Court will hear oral argument on March 28, 2006.

[Brief of Mid-Atlantic Medical Services Inc. 2Download](#)