

Publications

ERISA Claims Review: A Tale of Two Cases

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The United States Supreme Court's April 21, 2010, decision in *Conkright v. Frommert* upholds the continuing vitality of deference owed to an ERISA plan administrator as established in *Firestone v. Bruch*. The *Conkright* decision is welcome relief in light of *MetLife v. Glenn*, a decision handed down by the court on the same issue only two years before. The controversial *Glenn* decision has reduced deference to plan administrators, caused deeper examination of "conflicts of interest," and increased discovery activity in many cases and courts. *Conkright* may offer a course correction away from the trends established in the wake of *MetLife v. Glenn*. The attached article contrasts these two cases to develop practical solutions for dealing with the current litigation climate in ERISA claims review.

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