

**Publications**

# Groom Law Group Secures Dismissal of 401(k) Fee Lawsuit

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**SERVICES**

On August 2, the United States District Court for the Western District of New York dismissed the complaint filed in Zang v. Paychex, Inc., one of several putative class actions challenging 401(k) fees, revenue sharing and float. As discussed in the attached memo, the court concluded that Paychex could not be considered an ERISA fiduciary, which was a prerequisite to plaintiff's ERISA-based claims against the company.