

Publications

Kaleda Comments on Litigation Driving Fiduciary-Role Awareness

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Pensions & Investments

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David Kaleda was quoted in the *Pension & Investments*, “403(b) litigation driving fiduciary-role awareness,” an article detailing the major differences between 403(b) plans and 401(k) plans and what these differences mean for 403(b) plan sponsors and their fiduciary duties.

“In my experience, 403(b) plan sponsors are starting to take notice of what it means to be a fiduciary and that there are responsibilities,” said Kaleda. “They are starting to get it.” He also noted that the differences between 403(b) plans and 401(k) plans are becoming more clear, leading often to the dismissal of certain claims filed against private universities governed by ERISA. “Courts have said it’s not per se imprudent to have multiple record keepers,” he said, referring to a common complaint against 403(b) plans.

[403\(b\) litigation driving fiduciary-role awareness](#)