

Publications

Supreme Court Gives “Green Light” to ERISA Breach of Fiduciary Duty Claims Related to Individual 401(k) Participant Accounts

PUBLISHED

02/26/2008

SERVICES

In *LaRue v. DeWolff, Boberg & Assocs., Inc.*, No. 06-856, 2008 WL 440748 (Feb. 20, 2008), the Supreme Court ruled that an individual participant in a 401(k) defined contribution plan can maintain a breach of fiduciary duty claim under ERISA, even though the alleged breach affected only the value of his own individual account. The decision allowing the plaintiff to proceed with his lawsuit was unanimous, but three opinions were authored, each of which had a different take on the issue.

Mike Prame and Lars Golumbic held an audioconference to discuss this ruling on Thursday, March 20, 2008.

[Supreme Court Gives “Green Light” to ERISA Breach of Fiduciary Duty Claims Related to Individual 401\(k\) Participant Accounts](#)[Download](#)