

## ERISA Litigation

### Related Practices

Appellate and Complex Motion Practice

Class Action Defense

Employee Benefits and Executive Compensation

Employment Litigation

Labor & Employment

Litigation

### Related Industries

Food & Beverage

Insurance Related Litigation

## Overview

No matter how well crafted and implemented an ERISA plan is, or how thorough the actions of plan fiduciaries, it is inevitable that the decisions of the plan (or its fiduciaries) will be challenged at some point. Dykema's employment attorneys have developed a deep body of experience in responding to those challenges, whether a discrete lawsuit alleging an improper denial of benefits or a putative class action alleging discriminatory conduct or imprudent investment decisions. We understand the legal and business complexities of this type of litigation, and work with our clients to develop strategies to bring these cases to a rapid and successful conclusion. Our attorneys have ERISA litigation experience in the following areas, among others:

- Company stock or "stock drop" litigation
- Cash balance pension plan litigation
- Health and welfare benefit litigation, including denial of benefits litigation (including disability, medical and/or severance pay plan benefits)
- Multi-employer plan litigation
- Enforcement of subrogation rights
- Class Actions
- Appellate ERISA litigation

## Experience Matters

Our experience includes:

- Litigation regarding multiple class action settlement agreements that purport to limit the ability of a major manufacturing firm to alter the terms of health care benefits offered to retirees.
- Representation of a major consumer bank in active litigation involving alleged violation of ERISA and other employment-related matters.
- Defending a major retailer both at the trial court and appellate level in ERISA class actions and age discrimination cases arising from severance payments made as part of a reorganization and transition plan.
- Defending plan sponsors and service providers in litigation over complex benefit denials.
- Defending a major consumer bank in a putative class action alleging violation of fiduciary duties relating to available investments.
- Representing fiduciary in action for fraud and misrepresentation regarding contribution and benefit levels.

## Publications

A Primer on Virtual Litigation Practice  
 May 7, 2020  
*State Bar of Michigan*

ERISA Litigation (Cont.)

"Sixth Circuit Deals Fatal Blow to RICO Claims Based on Alleged Conspiracies To Deny Workers' Compensation Benefits, (a/k/a "Loss Or Diminution Of Worker's Compensation Benefits Does Not Spell RICO")"

August 4, 2014

Dykema Labor & Employment Law Blog

### **Speaking Engagements**

*Exploring Legal Issues Affecting Employers and Offering Proven Solutions*, Dykema Employment Seminar

2010 Employment Seminar

November 10, 2010