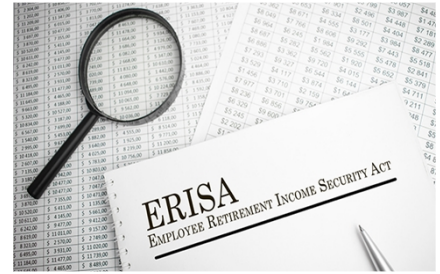


## ERISA & EMPLOYEE BENEFITS LITIGATION



Entities rely on Husch Blackwell to defend them against claims of breached fiduciary duty and alleged nonpayment of Employee Retirement Income Security Act (ERISA) and employee benefits. Our ERISA & employee benefits law team defends fully insured and self-insured welfare plans, pension plans, plan administrators and sponsors, employers, fiduciaries, third-party administrators, insurance agencies, trustees, benefit associations, insurance companies, and plan participants.

The diversity of our practice allows us to understand the interests of all parties in ERISA law matters and employee benefits relationships. These insights prove valuable as our employee benefits law attorneys negotiate favorable settlements, resolve cases through mediation, negotiate consent decrees with the Department of Labor (DOL), defend class actions, and advocate for clients in trial and appellate courtrooms.

### Representative Experience

Defended a major insurer in a \$600 million ERISA class action lawsuit. Plaintiff sought recovery on behalf of 23,000 present and former independent contractor insurance agents. Obtained summary judgment on all claims.

Obtained dismissal of lawsuit asserting ERISA claims against HMO stemming from coverage dispute, which was affirmed by the U.S. Court of Appeals, Eighth Circuit.

*"The firm has substantial trial experience, which is essential to be effective in litigation, and has the confidence to take matters to trial."*

— Chambers USA  
2019 —

### Contact Information

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Obtained order defeating class certification and granting summary judgment in lawsuit against pharmacy benefit manager asserting breach of fiduciary duty claims under ERISA.

Prosecuted to substantial verdict a plaintiff's ERISA case in district court for statutory penalties.

Defended in district court and federal appeals court a leading ERISA case on modification of health benefits in a union case for a major Peoria, Illinois, employer. The client prevailed on summary judgment, which was affirmed on appeal.

Represented client in a class action lawsuit that involved claims that various alleged ERISA fiduciaries breached their duties and engaged in prohibited transactions by selling their shares in the Foster/Gallagher employee stock ownership plan (ESOP) for more than adequate consideration. Obtained a dismissal of the fiduciary duty count against client and partial summary judgment on another claim. After bifurcation, a trial against another defendant produced a result that barred the last claim against client. Confirmed on appeal.