

No End in Sight for Business of ERISA Litigation

“ERISA litigation continues to flourish thanks to veteran plaintiffs’ attorneys refining their strategies, newcomers entering the ERISA arena using traditional arguments and lawsuits being filed against smaller plans,” reports Robert Steyer in *Pensions & Investments’ Courts*.

“For the veteran plaintiffs’ attorneys, their lawsuits ‘generally are sophisticated and appear to respond to roadblocks from decisions that have gone against plaintiffs,’ Thomas E. Clark Jr., a St. Louis-based partner and chief operating officer of Wagner Law Group who represents sponsors, wrote in an email.”

“For the new crop of law firms filing suits, “these complaints appear to generally be cookie cutter and borrow from legal theories from earlier lawsuits,” he wrote.”

“Recent defendants include Costco Wholesale Corp., Paychex Inc., KeyCorp, Land O’ Lakes Inc., Estee Lauder Inc., Oshkosh Corp., Automatic Data Processing Inc., MedStar Health Inc., Astellas US LLC, Quest Diagnostics Inc., Universal Health Services Inc., Schneider Electric Holdings Inc., CDI Corp., and CommonSpirit Health.”

“And that’s only since Memorial Day.”

Read the article.