



## ERISA LITIGATION

### OVERVIEW

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Foulston Siefkin has a team of experienced ERISA litigators that have successfully represented plan sponsors and plan participants in a wide variety of ERISA and other benefit plan matters; including 401(k) plans, defined benefit pension plan, welfare benefit plan, and disability disputes. These matters often become document intensive and complex due to the nature of ERISA.

Benefit plan disputes come in a variety of shapes and forms. For example, benefit claims that are denied can become contentious between the plan participant and the plan sponsor. And, plan errors and mistakes might have occurred resulting in significant losses to the plan and plan participants. Fiduciary and conflict of interest issues are also present where the prudent selection and monitoring retirement plan funds has not occurred or there has been the payment of excessive investment and administrative fees, along with the retention of poor or underperforming 401(k) funds.

We are also able to leverage our expertise in these matters to consult with plan sponsors and fiduciaries on risk management, risk mitigation, and ongoing compliance strategies relating to ERISA covered benefit plans.

Some of our team's litigation success stories have been the subject of media coverage, including a recent \$4.9 million settlement in a proprietary fund suit, as listed in the section below.

### MEDIA COVERAGE

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- Waddell & Reed Reaches Accord in Proprietary Fund Suit

# FOULSTON

ATTORNEYS AT LAW

## ATTORNEYS/OTHER PROFESSIONALS

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