ERISA Litigation

Shifting Strategies

The risk of litigation across the employee benefits marketplace is accelerating. Evolving case law, market volatility, and increased scrutiny on healthcare costs is having an explosive effect on ERISA benefits litigation as the wave of high-stakes claims and sophisticated tactics continues to exert pressure on managed care companies. Our ERISA litigation team has decades of experience working closely with in-house counsel and other key stakeholders in this highly complicated and granular litigation subspeciality to help shift and protect their defensive strategies.

Sector Strengths

GrayRobinson collaborates with insurance companies and third-party administrators to mitigate risk and guard against individual payor-provider disputes and class actions involving group and individual life, health, and disability policies. Our trusted team of experienced litigators represents several of the largest carriers in the country at both the trial and appellate levels, and in administrative and arbitral proceedings.

We advise and defend clients facing complex ERISA litigation involving medical and disability benefits, fiduciary responsibility, prohibited transactions, retiree medical obligations, commercial transactions, and ERISA's preemption of state law. Working to maximize subrogation and reimbursement rights, we help clients navigate the unique standards of review that govern ERISA claim disputes and also manage disputes stemming from agreements between benefit plans and third party administrators, as well as nonparticipating provider claims.

Our team delivers cost-efficient counseling, while fully developing all available legal defenses. We have handled hundreds of participating and nonparticipating provider claims on behalf of our insurance clients, and are highly attuned to the trends, decisions, and evolving jurisprudence impacting providers and the employee benefits industry as a whole.

Multidisciplinary Team

Members of our ERISA litigation team have served as lead counsel for numerous class actions and individual claims. The team is bolstered by our leading corporate, employee benefits, healthcare, and managed care practices with broadly developed experience in the design, drafting, implementation, and operation of health, life, and disability plans and procedures. We represent dozens of plans maintained by publicly traded and privately held, tax-exempt, and governmental employers.