

March 17, 2014 Blog

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# ERISA - 2nd Circuit: Reversible Error To Deny Successful Claimant's Attorney Fees Solely Because There Was No Evidence of Bad Faith

[Boom: The ERISA Law Blog](#)

Can a court deny a successful ERISA claimant's attorney fees solely because there is no evidence of bad faith? NO. Here's the case of *Donachie v. Liberty Life Assurance Company of Boston*, \_\_\_ F.3d \_\_\_ (2nd Cir. March 11, 2014) [PDF]. FACTS: Donachie had a peculiar heart condition: Everyone "sitting in the same room" with...