

ERISA, Life, Health & Disability

There are many nuances to ERISA laws and regulations, and life, health and disability employee benefits. *Lane Powell has you covered.* Whether you need to develop an ERISA plan, amend an existing one, or if you face litigation involving plan terms, decisions or benefits, our breadth of experience, collaborative approach and extensive resources enables us to do so consistently, efficiently and effectively.

Our team of attorneys is at the forefront of ERISA law developments, including a *Best Lawyers* designated “ERISA Litigation Lawyer of the Year” in 2012, 2015, 2017, 2018 and 2020. Since 2013, the *U.S. News – Best Lawyers*® annual “Best Law Firms” survey has ranked us for our national level practice in ERISA litigation and employee benefits law. We keep clients updated with our Life, Health, Disability and ERISA law blog: [BOOM: The ERISA blog](#).

We know that life, health and disability insurers face challenging and complex issues. Lane Powell has more than 40 years of related experience teaming with large and small companies with plan development, administration and litigation. We represent the insurance industry and self-funded plans and work with plans, insurers, employers, fiduciaries and third-party administrators, underwriters, claims personnel, insurance agents and contract drafters. This experience, developing the plan, and years of experience litigating these issues provides us a unique understanding of our clients’ legal challenges and a strong working knowledge of their respective businesses.

Our ERISA, Life, Health & Disability Team provides the outstanding resources expected of a large law firm, with the individualized service of a smaller local or regional firm.

We know you want cost-effective solutions to complex cases. We proactively approach cases for early resolution through early case assessments and risk analysis. We have broad and diverse experience representing clients in all phases of litigation. When early resolution is not possible, our extensive experience enables us to efficiently handle your case in litigation.

- Breach of fiduciary duty
- First-party bad faith claims
- Agent misconduct and compensation disputes
- Trademark infringement
- 419 welfare benefit plans
- 412i defined benefit plans
- Employment issues
- All facets of claims under ERISA
- ERISA penalty claims under 29 U.S.C. § 1132(c)(1)
- Stranger-owned/investor-owned life insurance (STOLI/IOLI)
- Stop loss
- Health provider pricing

We have defended cases involving wrongful termination of disability benefits, wrongful denial of accidental death and dismemberment benefits, claims for denial of severance and pension benefits, fraud and life insurance rescission and claims issues, wrongful discharge under ERISA, eligibility for ERISA medical benefits and medical provider insurance fraud.

We also advise ERISA fiduciary matters and assist clients to address preemption, breach of fiduciary duty, fraud and misrepresentation, reporting and disclosure, and potential financial exposure issues.

Experience

Carr v. United Healthcare Services Inc.

Case No. 2:15-cv-01105 | U.S. District Court, Western District of Washington | Seattle, Washington

Defended United HealthCare Services, Inc. (UHC) in a large complex class action lawsuit concerning all of UHC's self-funded plans nationwide and claims related to the Federal Mental Health Parity and Addiction Equity Act.

Noren v. Jefferson Pilot Financial Insurance Company et al

U.S. Court of Appeals, Ninth Circuit

Affirmed summary judgment in ERISA fiduciary duty claim.

Eaton v. Equilon Enterprises

U.S. District Court, Western District of Washington

ERISA class action contingent workers; dismissed.

Weyer v. Twentieth Century Fox Film Corp.

U.S. Court of Appeals, Ninth Circuit

ERISA/ADA: Mental disability issues; published opinion.

Abou-Zaki (Armani) v. Aetna Life Insurance Company et al.

Case No. 2:2012-cv-01688 | U.S. District Court, Western District of Washington

Obtained a complete defense verdict for Aetna Life Insurance Company, following a bench trial, in the case of a plaintiff who sought long-term disability benefits under ERISA.

Cronick v. Custom Disability Solutions et al.

Case No. 3:13-cv-00161 | U.S. District Court, District of Alaska

Represented Custom Disability Solutions against an ERISA claim seeking long-term disability benefits.

Nielsen v. Unum Life Insurance Company of America, et al

Case No. 2:13cv1717 | U.S. District Court, Western District of Washington

Defended Unum Group against claims that its administration of Catholic Health Initiatives's employee benefit plan was actually a "church plan" and not governed by ERISA.

Bryant v. Policy for Basic Life

U.S. District Court, District of Oregon

Summary dismissal of all ERISA disability claims, applying de novo review.

Stamp v. Fortis Financial Group

Case No. WL 35616048

Summary dismissal of ERISA benefit claim.

Teplick v. Boeing Employee Welfare Benefit Plan

U.S. District Court, District of Oregon

Summary dismissal of all ERISA disability claims, applying de novo review.

Grossnickle v. Stryker

Trial team in consolidated pain pump cases, including cross-claim by surgeon.

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