

ERISA BASICS NATIONAL INSTITUTE AGENDA



THURSDAY, OCTOBER 17, 2019

8:00-

8:30 **Registration and Networking Continental Breakfast**

8:30-

9:30 **FIDUCIARY STANDARDS – PART I**

This session will introduce ERISA's complex definition of fiduciary and discuss ERISA's fiduciary duties. It also will discuss the responsibilities entailed in investing plan assets, and the difference between a plan sponsor and plan fiduciary.

Lisa Serebin, Creitz & Serebin LLP (confirmed)

Peter Dickinson, Bush Gottlieb, LC (confirmed)

Hillary August, Morgan, Lewis & Bockius LLP (confirmed)

Thomas Tso, U.S. Department of Labor (confirmed)

9:30-

10:30 **FIDUCIARY STANDARDS – PART II**

Continuing from session one, this session will provide an overview of prohibited transactions, a technical ERISA concept, as well as an overview of remedies for fiduciary breaches. This session also will provide pointers for compliance with the ERISA's mandates and, time permitting, will touch on hot topics in ERISA fiduciary and class action litigation.

Lisa Serebin, Creitz & Serebin LLP (confirmed)

Peter Dickinson, Bush Gottlieb, LC (confirmed)

Hillary August, Morgan, Lewis & Bockius LLP (confirmed)

Thomas Tso, U.S. Department of Labor (confirmed)

10:30-

10:45 **Morning Break**

10:45-

11:35 **BENEFIT CLAIMS – PART I: ADMINISTRATIVE PROCEDURES**

ERISA requires and prescribes extensive procedures for the internal processing of claims and appeals. A near-universal prerequisite to bringing suit when benefit claims are denied is the pre-suit appeal required by 29 U.S.C. § 1133. This program will cover the statutory basis for pre-suit appeals, when such appeals may be excused, and the rules and regulations governing pre-suit appeals.

Ruth Silver Taube, Silver & Taube (confirmed)

Cecilia Scanlan, Baum Sigman Auerbach & Neuman, Ltd. (confirmed)

Rebecca K. Bryant, Ogletree, Deakins, Nash, Smoak & Stewart, PC (confirmed)

11:35-

12:35 **BENEFIT CLAIMS – PART II: LITIGATION OVERVIEW**

Not all claims are resolved internally. This program will cover topics arising in the litigation of employee benefit claims, including basic civil procedure, the availability of juries, discovery, evidentiary considerations, and disposition of claims. This program will then address what occurs when suit is filed for benefits under an ERISA plan, including exhaustion, evidence the district court may consider, the judicial standards of review applied in benefit claims litigation, and the doctrine of conflict of interest. The panel will address procedural issues and strategies to be considered by both the claimant and the plan/plan sponsor in the review process and in litigation.

Michael Bartolic, The Law Offices of Michael Bartolic, LLC (confirmed)

Cecilia Scanlan, Baum Sigman Auerbach & Neuman, Ltd. (confirmed)

Rebecca K. Bryant, Ogletree, Deakins, Nash, Smoak & Stewart, PC (confirmed)