The Employee Benefits Litigation attorneys of Miller & Martin help our clients navigate the inherent complexities of a constantly changing world of ERISA and employee benefits.

Our experienced attorneys guide employers, third party administrators, and life, health and disability insurance carriers. We also counsel fiduciaries, service providers, and plan participants and beneficiaries. We advise clients with plans subject to ERISA as well as with governmental plans and nonqualified deferred compensation plans.

Our team has extensive state and federal court experience defending employers and plan administrators in matters that involve claims for pension and welfare benefits and executive compensation, as well as claims based on discrimination, retaliation and breach of fiduciary duties.

We have a solid record that ranges from defending a class action suit brought by participants in an ESOP plan to defending individual claims for denial of health or disability benefits.

SELECTED EXPERIENCE

- Obtained motion to dismiss by district judge and Eleventh Circuit, which later also was upheld by the U.S. Supreme Court, for Zenith American Solutions in a case where a retirement plan and its trustees sought relief under ERISA for losses sustained in conjunction with the Plan's earlier decision to change accounting methods.
- Obtained summary judgment by the U.S. District Court for the District of Nevada in favor of Zenith American Solutions in a case brought by a private hospital chain seeking additional payments and damages in excess of $750,000 from the defendant and the benefits plan serviced by the defendant.
- Obtained summary judgment, affirmed by Sixth Circuit, in favor of municipal government on challenge to $227 million pension reform program brought by retirees under Contract Clause, Due Process Clause and Takings Clause of the United States Constitution. Frazier v. City of Chattanooga, 841 F.3d 433 (6th Cir. 2016).
- Successfully defended the City of Chattanooga's Fire and Police Pension Fund at trial and on appeal against claims brought by police officers who alleged that they had been unconstitutionally denied the opportunity to obtain benefits under the Fire and Police Pension Fund. (Bryson v. City of Chattanooga, 2010 WL 3767161 (Tenn. Ct. App. 2010)).
- Actively represent major life, health and disability carriers in defending disability claims under ERISA and non-ERISA group plans. These matters involve a wide range of issues including ERISA preemption, exhaustion of administrative remedies, denial of benefits and breach of fiduciary duty. Recent wins include: Crox v. Unum Group Corp., 655 Fed. Appx. 490 (6th Cir., 2016); Cooper v. Unum Life Ins. Co. of America, 2011 WL 703935 (E.D. Tenn. Feb. 17, 2011); Owens v. Rollins, Inc. Long Term Disability Plan, et al., 2010 WL 3843765 (E.D. Tenn. Sept. 27, 2010); Park v. Unum Life Ins. Co. of America, 702 F.Supp.2d 934 (E.D. Tenn. 2010); Alexander v. Provident Life and Accident Ins. Co., 663 F.Supp.2d 627 (E.D. Tenn. 2009); and Johnson v. Sun Life Assurance Co. of Canada, 2008 WL 836364 (Tenn. App. 2008).
- Successfully defended Tennessee's largest health insurer in ERISA action by medical provider challenging procedures used for recovery of overpayments. Brown v. BlueCross BlueShield of Tennessee, Inc., 827 F.3rd 543 (6th Cir., 2016).
- Successfully defended an international accounting and financial services corporation and its principal in a federal class action alleging prohibited transactions and breaches of fiduciary duty involving the assets of an ESOP in connection with the auction of a telecommunications company.
- Obtained summary judgment on behalf of an international manufacturing company in a suit by group of retirees claiming benefits under a separation pay plan. (Jackson v. Alstom Power, Inc., 193 Fed. Appx. 505 (6th Cir. 2006)).
- Successfully represented an employer in federal case where an employee claimed his severance package violated ERISA.

RELATED PRACTICES

- Appellate
- Class & Collective Action
- Crisis Management

- Employee Benefits & Executive Compensation
- Labor & Employment
- Litigation

RELATED ATTORNEYS

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