

Publications

# Health Plan Fee Litigation: The Next Wave of ERISA Litigation?

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In fall 2006, Schlichter, Bogard & Denton L.L.P. (now Schlichter Bogard L.L.P.), acting on behalf of putative class action plaintiffs, filed more than a dozen lawsuits against employer plan sponsors of 401(k) plans in federal district courts nationwide. The lawsuits generally alleged that the employers breached their fiduciary duties under the Employee Retirement Income Security Act of 1974 (“ERISA”), as amended, 29 U.S.C. §§ 1001 et seq., by allowing plan participants to pay excessive fees with respect to their 401(k) plan accounts. After having success with this initial round of “test” cases, a flood of copy-cat lawsuits was filed by this firm and others eager to cash-in on a new wave of class action litigation.

In this Mealey’s Publications article, “Health Plan Fee Litigation: The Next Wave of ERISA Litigation?” Groom principals [Lars Golumbic](#), co-chair of the firm’s [Litigation](#) group, and [Kara Petteway Wheatley](#) explore the oncoming litigation trends targeting employer plan sponsors of self-funded health plans. They cover defined-contribution plan litigation regarding excessive fees and imprudent investments, what could come next, and more.

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