



ASPPA Benefits Council™
New England

ERISA Litigation: An Update from the Front Lines

Wednesday, January 14, 2009
Registration: 8:00 a.m. – 8:20 a.m.
Presentation: 8:20 a.m. – 10:00 a.m.

Westin Waltham
70 Third Avenue
Waltham, MA 02451
781.290.5600

Breakfast, parking and materials included.

Register by January 9, 2009

2 CE credit-hours available*

*The final decision as to the number and type of JBEA credits rests solely with the Joint Board for the Enrollment of Actuaries.

Sponsored in part by:

Guest Speaker: Stephen Rosenberg, Esq. of The McCormack Firm

Stephen D. Rosenberg is a partner at The McCormack Firm in Boston, MA (www.mccormackfirm.com). Mr. Rosenberg has represented parties in ERISA litigation at both the federal district court level and before the United States Court of Appeals for the First Circuit.

He has litigated cases in federal courts in Massachusetts, Rhode Island, the Southern District of New York, West Virginia, Baltimore, and Washington, D.C. Stephen heads the firm's ERISA practice and is the author of the Boston ERISA and Insurance Litigation Blog (www.bostonerisalaw.com), covering developments in ERISA litigation, intellectual property litigation, insurance coverage, electronic discovery, and other topics of interest.

He currently serves on the Board of Editors of Pension Governance LLC, where he writes on litigation issues involving ERISA, and is currently at work on a book on ERISA litigation. He has been quoted on ERISA issues in a wide range of publications, including Business Insurance, the New York Sun, the National Law Journal, Massachusetts Lawyers Weekly, and the BNA Pension and Benefits Reporter.

ERISA Litigation: An Update from the Front Lines

Although a recent spate of high-profile lawsuits have equated ERISA litigation with fee disputes, those who work with ERISA plans face the possibility of litigation for a multitude of reasons. In this session, Stephen Rosenberg will draw on his years of experience in the courtroom to discuss some of the reasons plan sponsors and service providers are sued and how a court's decision can turn on the smallest of details.

Among other topics, he will discuss recent Supreme Court decisions concerning ERISA and their impact on ERISA plans, sponsors and administrators. Two of the Supreme Court's decisions from its last term have opened up a range of issues concerning the application of ERISA plans and the legal obligations of administrators and sponsors, many of which had previously been considered settled by most lawyers. Another case currently before the Supreme Court raises questions as to the proper approach to distributing pension, 401(k) and other benefits after a divorce, and whether it continues to be appropriate to simply apply the plan's terms for these purposes in the absence of a valid qualified domestic relations order.

Mr. Rosenberg will also focus on the latest trends in the area of preemption, and how it is impacting, first, the extent to which states and municipalities can affect plan administration, and, second, the legal liabilities and responsibilities of plan administrators. He will also discuss fiduciary exposure arising from investment options in 401(k) plans, including "stock drop" cases, excessive exposure to company stock, and excessive fees incurred on investment options, with a focus on both current developments and approaches that can limit the likelihood of liability.



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	Rate Per Person*	# of Registrants	Total Cost
Member of ASPPA	\$40	x _____	\$ _____
Member of ABC of New England	\$50	x _____	\$ _____
Non-Member	\$70	x _____	\$ _____
Total for All Registrants			\$ _____

*For payment at the door, add \$20 per registrant

Names of Registrants (include professional credentials and ASPPA member ID, as applicable)

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PLEASE COMPLETE FORM AND SEND WITH PAYMENT NO LATER THAN JANUARY 9, 2009 TO:
ASPPA Benefits Council of New England | c/o Sentinel Financial Group | 55 Walkers Brook Drive, Suite 100 | Reading, MA 01867
If paying by credit card, you may e-mail this form to Amy Sheridan at asheridan@sandw.com or fax to 781.213.7397
For further information, please contact Ellen Houston, QKA, QPA at 781.914.1297