EMPLOYEE BENEFITS LAW

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Required Texts:


Class Attendance/Preparation, Additional Resources: This is a three-hour, three-credit course. Please arrive on time and remain in the class during its entirety. It is essential that you come to class fully prepared to participate in meaningful discussion. Failure to do so will result in a downward adjustment of your final grade as discussed in the Student Handbook. At the end of Chapter One of the casebook, you will find a selected list of additional hardcopy sources and internet websites devoted to employee benefits law issues.

SYLLABUS

READING ASSIGNMENTS
Page numbers listed below in the right hand column are for your Casebook.

Classes 1- and 2  Chapter One: Introduction
Statute Book: ERISA Title I, § 2  1-29

Chapter Two: Plan Administration
Plan Documents and Trust Requirements, Statute Book: ERISA §§ 402, 403  54-57

Class 3- Plan Amendments, Curtiss-Wright v. Schoonejongen
Plan Reporting and Disclosure Requirements, Glocker v. W.R. Grace  66-84
Statute Book: ERISA §§ 101, 102, 103, 104

Class 4- Plan Reporting and Disclosure Requirements (cont.)  85-91
Discussion Questions for Chapter Two 91-93

Class 5- Chapter Three - Qualified Retirement Plans
Perspectives and Introduction 95-115
Statute Book: Code §§ 401(a); 403(b); 457
ERISA § 201

Class 6- Investment Fundamentals*
Problems on Investment Fundamentals 115-122
*The reading assignment includes using the Appendix C tables in the casebook.

Class 7- Types and Characteristics of Qualified Plans 123-134
Age and Service Requirements 135-138
Statute Book: Code § 410(a)
Problems on Age, Service and Vesting Requirements 145-146

Class 8- Vesting Requirements 138-147
Statute Book: Code § 411(a)

Chapter Four - Welfare Benefit Plans

Class 9- Perspectives and Introduction 287-314
Insured and Self-Insured Health Care Plans,
Met Life v. Massachusetts, FMC v. Holliday,
American Medical v. Bartlett 314-338
Statute Book: ERISA § 514(a)-(b)(2)

Class 10- The Alphabet Soup Requirements:
COBRA and OBRA, Holford v. Exhibit 338-352
Statute Book: ERISA §§ 601-609*, 702(a)-(b), 733
*Section 609(c) is in the Statutory Supplement
Targeted Reforms 358-361
Statute Book: ERISA §§711, 713,702(c)-(d), 712

Class 11,12- Constitutional Challenges to the ACA, 401-432
Burwell v. Hobby Lobby
Questions on the ACA 432-434

Class 13- Amending or Terminating Welfare Plans, 434-441
McGann v. H&H
Statute Book: ERISA § 510

Class 14,15- Chapter Five - Fiduciary Duties and Prohibited Transactions

Statute Book: ERISA § 3(21)(A)

Fiduciary and Co-Fiduciary Responsibilities
Statute Book: ERISA §§ 404, 405, 409, 410

Class 16- Fiduciary and Co-Fiduciary Responsibilities (cont.)
Note on the Duty to Inform
Problems on Fiduciary and Co-Fiduciary Responsibilities

Class 17- Chapter Six - Civil Enforcement Actions

Nuts and Bolts of ERISA Litigation,
Metropolitan v. Taylor
Statute Book: ERISA §502, 503

Class 18- Section 502(a)(1)(B) Claims
Firestone v. Bruch, Met Life v. Glenn

Class 19,20- Section 502(a)(2) Claims
Mass. Mutual Life v. Russell, LaRue v. DeWolff,
Donovan v. Bierwirth
Statute Book: ERISA §§ 409, 410, 502

Class 21- Section 502(a)(3) Claims (Nonfiduciary Defendants)
Mertens v. Hewitt, Harris Trust v. Salomon Smith Barney
Statute Book: ERISA §§ 3(9), 502(l)

Class 22- Section 502(a)(3) Claims (Reimbursement Clauses)
(intro to Great-West)

Class 23- Section 502(a)(3) Claims (510 Violations)
Sereboff v. MidAtlantic, US Airways v. McCutchen
Statute Book: ERISA §510

Class 24- Section 502(a)(3) Claims (Fiduciary Defendants)
Varity v. Howe, Cigna v. Amara
Class 25- Chapter Seven - Preemption of State Law

Overview and Legislative History 775-779
Statute Book: ERISA §514
The Early Preemption Cases 779-797
   Shaw v. Delta, Pilot v. Dedeaux, Ingersoll v. McClendon

Class 26- Modern Preemption Jurisprudence 797-821
N.Y. State Conf. of Blue Cross v. Travelers,
Egelhoff v. Egelhoff