

# ERISA SURVEY OF FEDERAL CIRCUITS, 2024 EDITION, CHAPTER EIGHT

The American Bar Association states: "In this comprehensive book designed as a resource for litigators and clients with matters governed by the Employee Retirement Income Security Act (ERISA), the authors have set forth, by federal circuit, a description of major issues in ERISA litigation and case authority governing those issues in each circuit. Each chapter contains a detailed review of the following topics:

- How the circuit determines if an ERISA plan governs the dispute;
- ERISA preemption of state law;
- Exhaustion of administrative remedies;
- Standard of review of an administrator's decision;
- Rules of plan interpretation;
- Discovery in ERISA cases;
- The scope of admissible evidence in ERISA cases;
- Procedural aspects of ERISA matters;
- Available remedies; and
- Fiduciary liability claims.

The 2024 edition of ERISA Survey of Federal Circuits is also revised to include an updated discussion of the most recent and leading ERISA cases by circuit pertaining to the fiduciary exception to the attorney-client privilege, procedures for adjudicating ERISA claims, standards for recovery of attorneys' fees, statutes of limitation, ERISA regulations and litigation over subrogation and reimbursement rights.

The book provides an easy desktop resource for frequent ERISA litigators, those practitioners who simply need a recitation of current case authority on a particular point or in-house counsel who need to know how a court in a particular circuit will determine a thorny ERISA litigation issue."

## PEOPLE

Clark H. Cole