



# THE WAGNER LAW GROUP

## Litigation

### Our Expertise

#### Erisa Litigation

The firm's ERISA litigators have represented employers, plan sponsors, company officers, plan vendors, plan fiduciaries, third party administrators and plan participants in a wide range of disputes involving all types of ERISA-governed plans, including pension plans, ESOPs, 401(k) plans, health plans, disability plans and top hat plans. The firm's partners have served as lead counsel in class action cases, as well as in a wide variety of single plaintiff breach of fiduciary duty, equitable relief and denial of benefit cases. They have litigated a number of issues of first impression, and have extensive experience before trial courts, federal appeals courts and administrative agencies nationwide.

The firm's ERISA litigators pride themselves on combining decades of courtroom experience with deep substantive understanding of the law of ERISA. They have substantial experience in bench and jury trials, as well as before appellate panels, arbitrators, regulators and mediators. One senior federal judge praised their work in an ESOP class action as "a very good job in all aspects." Members of the litigation practice are often quoted in national media, including the Wall Street Journal and the National Law Journal, and are frequent presenters at industry conferences.

#### Insurance And Bad Faith Litigation

The firm has deep experience in insurance coverage counseling and litigation, as well as in insurance bad faith litigation. The firm's litigators have decades of experience representing prominent insurance companies and corporate policyholders in commercial liability, excess insurance, directors and officers coverage, reinsurance, Massachusetts General Laws Chapter 93A and bad faith litigation. They have litigated insurance disputes throughout the country, as well as internationally, having represented clients in cases from Guam to Scotland.

Insurers and policyholders regularly call on the expertise of the firm's attorneys both for litigation and for advice outside of the courtroom. The firm's insurance litigators have tried multiple coverage and bad faith cases to verdict in state and federal courts, both to the bench and before juries. The firm's insurance lawyers have also handled numerous commercial arbitrations, before both one- and three-member panels.

#### Healthcare Regulation

The firm takes an interdisciplinary approach to health law, making use of its deep bench to provide a wide range of services to physicians, medical practices and employers. The firm's health law practice combines its disparate expertise in health



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insurance, the Affordable Care Act, self-funded health insurance plans, COBRA, physician compensation, and physician licensing and discipline to provide its clients with a full suite of services in the health law area.

The firm has deep expertise in physician licensing, regulation and disciplinary proceedings before the Massachusetts Board of Registration in Medicine. Headed by a former Assistant General Counsel to the Board, the firm's lawyers have represented physicians faced with difficult licensing problems, as well as physicians confronting disciplinary proceedings. The firm's lawyers pride themselves on finding the most effective and efficient solutions for its physician clients facing problems before the Board, whether that is negotiation or litigation.

The firm includes some of the country's leading experts on the Affordable Care Act, and its lawyers have advised employers on compliance with both federal and state laws governing employer-provided health insurance. Members of the health law practice have written self-insured plans for major employers, advised employers on the operation of their health plans, resolved COBRA violations, and represented the administrators of self-funded employer plans. The practice also draws on the expertise of the firm's ERISA litigators when litigation of health benefit disputes is warranted.

## Employment Litigation

The firm's employment litigators have vast experience litigating in federal court, state court, arbitration, before administrative agencies, and mediation. The firm represents both employers and employees and as defense and plaintiff counsel. The types of cases handled by the firm's employment litigation team include those involving wrongful termination, sexual harassment, hostile work environment, equal pay, whistle blower, and wage and hour matters. The firm's employment litigation attorneys place a premium on developing strong lines of communication which enables clients to have a better understanding of the process and to more effectively budget time and resources.

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