

BIOGRAPHIES

PHYLLIS C. BORZI

Phyllis C. Borzi was confirmed on July 10, 2009, as Assistant Secretary of Labor of the Employee Benefits Security Administration (EBSA). EBSA oversees nearly 708,000 private-sector retirement plans, approximately 2.8 million health plans, and a similar number of other welfare benefit plans that provide benefits to approximately 150 million Americans. As agency head, she oversees the administration, regulation, and enforcement of Title I of the Employee Retirement Income Security Act of 1974 (ERISA).

Previously, Ms. Borzi was a research professor in the Department of Health Policy at George Washington University Medical Center's School of Public Health and Health Services. In that position, she was involved in research and policy analysis involving employee benefit plans, the uninsured, managed care, and legal barriers to the development of health information technology. In addition, she was of counsel with the Washington, D.C., law firm of O'Donoghue & O'Donoghue LLP, specializing in ERISA and other legal issues affecting employee benefit plans, including pensions and retirement savings, health plans, and discrimination based on age or disability.

From 1979 to 1995, Borzi served as pension and employee benefit counsel for the U.S. House of Representatives, Subcommittee on Labor-Management Relations of the Committee on Education and Labor. In 1993, she served on working groups dealing with insurance reform, workers' compensation and employer coverage in connection with the Clinton Task Force on Health Care Reform.

Borzi is a charter member and former president of the American College of Employee Benefit Counsel and served on its Board of Governors from 2000-2008; former member and former co-chair of the Advisory Board of the BNA Pension & Benefits Reporter; former member of the Advisory Committee of the Pension Benefit Guaranty Corporation; and former member of the Advisory Board of the Pension Research Council; and former member of the board of the Women's Institute for a Secure Retirement (WISER). In 2008, she was appointed by the U.S. District Court for the Northern District of Ohio and served as a public member of the Administrative Committee for the Goodyear retiree health trust.

Borzi has published numerous articles on ERISA, health care law and policy, and retirement security issues. She has been a frequent speaker to legal, professional, business, consumer, and state and local governmental organizations. An active member of the American Bar Association, Borzi is the former chair of the ABA's Joint Committee on Employee Benefits. She holds a Master of Arts degree in English from Syracuse University and a J. D. from Catholic University Law School, where she was editor-in-chief of the law review. She is a member of the District of Columbia Bar and is admitted to practice before the U.S. Court of Appeals for the District of Columbia Circuit and the U.S. Supreme Court.

DENISE M. CLARK

Denise M. Clark is the founding partner of the Clark Law Group, PLLC, in Washington, D.C., where she practices employee benefits and employment law. She assists sponsors and trustees in fiduciary matters, and individuals with executive compensation and employment agreements. Ms. Clark is a Fellow of the American College of Employee Benefit Counsel, and a former member of the Department of Labor's ERISA Advisory Council. She is active in the Employee Benefits Committee of the American Bar Association's Labor and Employment Law Section, and she co-chairs the Employment Discrimination Subcommittee. A graduate of Marquette University, Ms. Clark earned an L.L.M. from Georgetown University and a J.D. at North Carolina Central University School of Law.

FRANK CUMMINGS

Frank Cummings has specialized in employee benefits for more than 55 years. He is a former partner and head of benefits practice group at LeBoeuf, Lamb, and he has worked at firms in New York and Washington. In the 1960s and early 1970s, he was Chief of Staff to Senator Jacob Javits, designing Javits' pension reform bill that eventually became ERISA. He is currently an adjunct lecturer at the University of Virginia Law School, and has been an adjunct professor at other law schools, including New York University, Columbia University, John Marshall School of Law, and Drexel University. He is a Life Member of the American Law Institute and a Fellow of American College of Employee Benefit Counsel. He received an LL.B. and a Master's in Philosophy from Columbia University.

RON DEAN

Ronald Dean has been engaged in employee benefits litigation primarily on behalf of participants for more than 40 years. Dean is a member of the Board of Senior Editors of the ABA/BNA's, *Employee Benefits Law*, and of the Advisory Board for ALI-CLE's Employee Benefits Programs. He is a charter Fellow and past board member of the American College of Employee Benefits Counsel. He is also a Fellow of the College of Labor and Employment Lawyers. Mr. Dean has been counsel on 15 published Ninth Circuit Court of Appeals opinions involving ERISA issues. Dean is a frequent lecturer on ERISA matters for the American Bar Association's CLE programs and other legal trainings. Mr. Dean is Asher Finn and Ella Ray Dean-Schulner's favorite tapapapa.

BOB ECCLES

Bob Eccles is Of Counsel in O'Melveny's Washington, D.C., office. His practice focuses on ERISA litigation and advice pertaining to Title I of ERISA. Bob joined the firm in 1988 after 15 years as an attorney for the federal government, including five years as a trial attorney for the Department of Justice and 10 years as an ERISA attorney at the Department of Labor (DOL). From 1982 to 1988, he was Associate Solicitor of Labor in charge of DOL attorneys who conducted litigation and provided legal advice under ERISA. Bob was a founder and editor of the ERISA Litigation Reporter. He is a graduate of Harvard College and Harvard Law School.

KAREN FERGUSON

Karen Ferguson is director of the Pension Rights Center, a nonprofit consumer organization working to protect and promote the retirement security of workers, retirees, and their families. Before starting the Center in 1976, she was an attorney with the National Labor Relations Board, Bell, Boyd, and Lloyd, the Public Interest Research Group, and the UMWA Health and Retirement Funds. Co-author of *Pensions in Crisis: Why the System is Failing America and How You Can Protect Your Future*, Karen is a charter member of the American College of Employee Benefits Counsel, the National Academy of Social Insurance, and the Bloomberg BNA Benefits Practice Resource Center Advisory Board. She is a graduate of Bryn Mawr College and Harvard Law School.

KAREN HANDORF

Karen Handorf is a partner and head of the ERISA practice group at Cohen Milstein Sellers & Toll, where she represents plan participants in class action ERISA litigation. From 2000 to 2007, Ms. Handorf was the Deputy Associate Solicitor, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor. Prior to that time, she was responsible for establishing and supervising the Department's ERISA amicus brief writing program. Ms. Handorf is a Fellow of the American College of Employee Benefits Counsel and has served as plaintiffs' co-chair of the ABA's ERISA civil procedure and preemption subcommittees. She is a graduate of the University of Wisconsin Law School.

SUSAN KATZ HOFFMAN

Susan Katz Hoffman is a Shareholder in the Philadelphia office of Littler Mendelson, P.C., concentrating on employee benefit issues in corporate transactions and benefit litigation, representing employers, multiemployer plan trustees, and service providers. She is a former Management co-chair of the ABA Labor & Employment Law Section's Committee on Employee Benefits, and a former chair of the ABA Tax Section's Subcommittees on Mergers and Acquisitions, Litigation and Fiduciary Standards (Employee Benefits Committee). Ms. Hoffman is a Fellow of the College of Labor and Employment Lawyers and a charter Fellow of the College of Employee Benefit Counsel. She earned a B.A. from Lake Forest College, an MBA from the University of Pennsylvania, and a J.D. from the University of Pennsylvania Law School.

ELIZABETH HOPKINS

Elizabeth Hopkins is Counsel for Appellate and Special Litigation in the Plan Benefits Security Division (PBSD) of the Solicitor's Office at the Department of Labor. She oversees the ERISA amicus programs and, along with her co-counsel, supervises all appellate briefs filed by the PBSD. She has worked on and argued federal and state cases, including *Moran v. Rush Prudential*, *Egelhoff v. Egelhoff*, *Unum v. Ward*, *Harris Trust v. Salomon Bros.*, *John Hancock v. Harris Trust*, *LaRue v. Dewolf*, *MetLife v. Glenn*, *Hardt v. Reliance Standard*, and *Conkright v. Frommert*. She is a frequent speaker at conferences and teaches ERISA topics, appellate brief writing, and advocacy. Ms. Hopkins graduated from the University of Arizona and received her law degree from Georgetown University Law Center.

JOEL HURT

Joel Hurt is a partner at Feinstein Doyle Payne & Kravec in Pittsburgh. He represents plan participants, retirees, and unions in connection with ERISA benefit and fiduciary breach claims involving defined benefit and defined contribution pension plans, healthcare plans, and collectively bargained retiree health plans. Joel serves as the Union co-chair of the Benefit Claims Subcommittee of the ABA Labor and Employment Law Section's Employee Benefits Committee, and is a contributing author to the ERISA Litigation legal treatise (Zanglein, Frolik). His professional memberships include the ABA, Lawyers Coordinating Committee of the AFL-CIO, and the Honorable Amy Reynolds Hay Chapter of the American Inns of Court. He is a graduate of Westminster College and the University of Pittsburgh School of Law.

BRAD HUSS

Brad Huss is a member of Trucker Huss, A Professional Corporation, which practices exclusively in the fields of ERISA and employee benefits. Mr. Huss concentrates his practice on ERISA litigation, fiduciary responsibility matters, Department of Labor investigations and qualified pension and profit sharing plans. Mr. Huss is a former member of the Board of Governors of the American College of Employee Benefits Counsel. Mr. Huss is a past member of the Board of Directors of the American Society of Pension Professionals and Actuaries, a former chair of the Employee Benefits Committee of the Section of Tort Trial and Insurance Practice of the American Bar Association and a past president of the San Francisco Chapter of the Western Pension & Benefits Council.

WILLIAM J. KILBERG

William J. Kilberg is the most senior partner in Gibson, Dunn's Employment Practice Group. He counsels and represents clients in all aspects of employee compensation and benefits. He has argued many significant matters before the United States Courts of Appeals and the Supreme Court. From 1973-1977, Mr. Kilberg served as the Solicitor for the U.S. Department of Labor, where he chaired the DOL task force charged with the passage of ERISA and headed the committee for the formation of the PBGC. He was elected a Fellow in the charter classes of both the American College of Employee Benefits Counsel and the College of Labor and Employment Lawyers, for which he currently serves as president. Mr. Kilberg is a graduate of Cornell University and the Harvard Law School.

JEFFREY LEWIS

Jeffrey Lewis is the managing attorney of Lewis, Feinberg, Lee, Renaker & Jackson, P.C. and has specialized in ERISA litigation, primarily for plaintiffs, since 1975. He is past co-chair of the Employee Benefits Committee of the ABA's Labor and Employment Section. He is a co-chair of the Board of Senior Editors of Employee Benefits Law (BNA). He serves as a fiduciary of a public employee pension plan and of the VEBA providing medical benefits to retired Goodyear Tire and Rubber Company workers. Mr. Lewis has taught employee benefits law courses at four law schools. He is a mediator for the U.S. District Court and privately. He is a graduate of Yale University and University of California Berkeley School of Law.

SCOTT MACEY

Scott Macey is president and CEO of the ERISA Industry Committee (ERIC). Prior to joining ERIC, Mr. Macey was Of Counsel to Covington & Burling LLP, and served in senior staff positions at AT&T and Aon Consulting. With more than 35 years of experience in compensation and benefit consulting, pensions, and executive compensation, he has been associated with ERIC for most of those years, serving on the Board for approximately 30 years. Mr. Macey also served as chairman of ERIC in the mid-1990s. A charter Fellow of the American College of Employee Benefits Counsel, he has also served as a board member and co-chair of the Bloomberg BNA Pension and Benefit Advisory Board, and as chairman of various American Bar Association subcommittees.

SUSAN MARTIN

Susan Martin is a principal in the plaintiff side firm of Martin & Bonnett in Phoenix, Arizona. She began her legal career in a New York City labor law firm by assignment to a decade-long series of cases involving merger of two pension plans brought under then fledgling ERISA. She has been litigating ERISA cases and serving as counsel for Taft-Hartley plans ever since. While ERISA litigation continues to be a central focus, she also represents unions, does traditional labor and employment litigation, serves as General Counsel for the International Conference of Symphony and Opera Musicians (American Federation of Musicians), and is chief negotiator for the musicians of numerous symphony orchestras around the country. She attended Antioch College and NYU Law School.

JUDY MAZO

Judy Mazo spent more than 33 years in senior positions with the Segal Company before retiring in 2011. She also worked at the Pension Benefit Guaranty Corporation in its early years as a staff attorney and as executive assistant to the General Counsel. Judy is a past chair of the American Bar Association's Joint Committee on Employee Benefits, and she has served on the National Coordinating Committee for Multiemployer Plans, and on the advisory boards of the Pension Research Council and BNA's *Pension and Benefits Reporter*. She is a founder and charter Fellow of the American College of Employee Benefits Counsel. Ms. Mazo is an expert on and champion of defined benefit plans and, since retiring, has experienced their value first-hand. Judy graduated from Wellesley College and Yale Law School.

PAUL J. ONDRASIK

Paul J. Ondrasik is a partner in the Washington, D.C., office of Steptoe & Johnson LLP and is the head of the firm's ERISA, Labor, and Employment Group, which has received top rankings for National ERISA Litigation from both Chambers and The Legal 500. He also is the chair of the Labor Committee of the Public Utility, Communications and Transportation Law Section of the American Bar Association. Before joining Steptoe in 1977, Paul served as a law clerk to Warren E. Burger, Chief Justice of the United States. He is a graduate of Princeton University and the University of Virginia Law School, a charter Fellow of the American College of Employee Benefits Counsel, and a frequent author and speaker on ERISA litigation, fiduciary responsibility, and preemption matters.

CHRIS PISTILLI

Chris Pistilli is a partner at Covington & Burling LLP, resident in the firm's Washington office. His practice is focused on the defense of class actions and other complex civil matters. Chris has substantial experience with high-stakes ERISA litigation, having represented pension plans, plan sponsors, and plan fiduciaries in the trial courts and on appeal. He was recently recognized by The Legal 500 as an "experienced litigator who combines his litigation skill with knowledge of ERISA law." Chris is a graduate of Haverford College and Harvard Law School.

JOHN HOUSTON POPE

John Houston Pope is a member of the Employee Benefits, Litigation, and Labor and Employment practices in Epstein Becker Green's New York office. He litigates at the trial and appellate level in courts across the country. His practice includes a special emphasis in single- and multi-plaintiff ERISA litigation, focusing on the defense of breach of fiduciary duty actions and cases involving other significant, complex benefit plan issues. He is admitted in New York and Florida Bars; in Florida, he obtained the status of Board Certified Specialist in Labor and Employment Law in 2013, conferred in recognition of his experience and expertise in the area, which includes employee benefits litigation.

JAMES R. RABORN

Jim Raborn is Senior Counsel at Baker Botts LLP, with 35 years of experience in ERISA and employee benefits law. His practice encompasses a broad range of employee and benefit matters, including business planning and ERISA litigation. He is a charter Fellow of the American College of Employee Benefits Counsel and currently serves as its president and sits on its Board of Governors. He is also a Fellow at the American College of Tax Counsel, past chair of the Employee Benefits Committee, Taxation Section, of the American Bar Association, and current vice chair of ABA's Committee on Government Submissions. Mr. Raborn received a B.A. and J.D. from Louisiana State University. He also served in the United States Air Force, attaining the rank of captain.

DAVID E. ROGERS

David E. Rogers is a partner at McDermott Will & Emery LLP and chairs its Employee Benefits Practice Group. He represented large employers on the PBGC's 1996 Negotiated Rulemaking Committee on Reportable Events. During 1993 – 1994, he served as a member of the Congressional Task Force auditing and analyzing the District of Columbia Retirement Board. David was co-counsel in *Beck v. PACE*, a U.S. Supreme Court case regarding applicable fiduciary duties in the termination of a qualified plan. David served for numerous years as an adjunct professor at Georgetown University Law Center. He was a member of the editorial advisory board for the Pension Actuary and has been published in *The Tax Lawyer*. He is also a Fellow in the American College of Employee Benefits Counsel.

HENRY ROSE

Henry Rose served as Associate Solicitor for Legislation and Legal Counsel in the Department of Labor between 1970 and 1974, and as the first General Counsel for the Pension Benefit Guaranty Corporation from 1974 through 1984. Mr. Rose argued and won the first ERISA Supreme Court case, *Nachman Corporation v. PBGC*, and later argued and won a second Supreme Court case, *Local 114 Nursing Home Pension Fund v. Demisay*. He is an inaugural Fellow of the American College of Employee Benefits Counsel and has served as chair of the American Bar Association's Joint Committee of Employee Benefits.

ALAN M. SANDALS

Alan M. Sandals is founder and principal of Sandals & Associates, P.C. Previously, he founded Sandals & Langer, LLP, and he was a member of the firm Berger & Montague, P.C., where he established and managed its employee benefits practice. Mr. Sandals focusses on prosecuting class actions for employees and retirees in the field of pensions and other employee benefits. He has served as counsel in numerous ERISA class action cases in courts around the country, particularly litigation based on ERISA fiduciary duties. Mr. Sandals has been a speaker or faculty member at ERISA litigation conferences sponsored by the Federal Judicial Center, American Bar Association Section on Labor and Employment Law, American Law Institute (ALI-ABA), and others.

LYNN SARKO

Lynn Sarko is the managing partner of Keller Rohrback L.L.P. and leads the firm's complex litigation group. An accomplished trial lawyer, he regularly prosecutes class and private actions on behalf of individual and institutional clients. Lynn first came to Seattle for a federal court clerkship and returned after serving as an Assistant U.S. Attorney in Washington D.C. Lynn has served as lead or co-lead counsel in numerous leading retirement plan, securities, and financial malfeasance cases. Aided in part by his M.B.A. in accounting, he has also litigated complex cases involving accounting and audit fraud. Courts and professional organizations have honored him for his work in many high profile public interest cases.

JERRY SCHLICHTER

Jerry Schlichter is the founding partner of the St. Louis firm Schlichter, Bogard and Denton. Mr. Schlichter is lead attorney in cases involving claims of excessive fees and fiduciary breaches in large 401(k) plans, including *Tibble v. Edison* and *Tussey v. ABB*, which resulted in a judgment of \$50 million. The Supreme Court will hear *Tibble* in this term. Mr. Schlichter has been featured in numerous articles concerning 401(k) fees, most recently last week in the *New York Times*, which referred to him as a "pioneer" in 401(k) excessive fee cases. Many commentators have stated that the cases brought by Mr. Schlichter have significantly reduced fees throughout the 401(k) industry. He is a graduate of University of Illinois and UCLA Law School.

WILLIAM SCHMIDT

William Schmidt is a partner at K&L Gates LLP, where he works in the areas of institutional investing and employee benefits, with particular emphasis on fiduciary responsibility matters under ERISA. Mr. Schmidt advises major financial institutions, including banks, insurance companies, registered investment advisers, and large employee benefit plans about ERISA restrictions relating to plan investments and to fee arrangements for investment management and plan administrative services. Mr. Schmidt was formerly Counsel for Regulation in the Plan Benefits Security Division of the Office of the Solicitor of the U.S. Department of Labor, where he was responsible for providing legal advice with on regulatory, interpretive and legislative activities under ERISA. Mr. Schmidt is a graduate of the University of Virginia and Georgetown University.

HOWARD SHAPIRO

Howard Shapiro is a Partner in the Employee Benefits, Executive Compensation & ERISA Litigation Practice Center, in the New Orleans office of Proskauer. He is a nationally known ERISA litigator, listed by the *National Law Journal* as one of the Top 40 Benefits Lawyers in the country in the category of litigators representing management. Howard was a co-author of *Employee Benefits Law*, a treatise originally published by BNA in 1991 and updated with annual supplements. He also served as a senior editor/author of *Employee Benefits Law*, Second Edition, published in 2000. He has written law review articles, outlines, and other publications and speaks frequently at national seminars and other programs on ERISA litigation topics.

MARY ELLEN SIGNORILLE

Mary Ellen Signorille is a senior attorney with AARP Foundation Litigation. She has prepared numerous amicus curiae briefs on employee benefits issues on behalf of AARP and its members in cases before the U.S. Supreme, federal, and state courts. She prepares AARP's comments to regulatory agencies that enforce ERISA. She was elected to the charter class of the American College of Employee Benefits Counsel and has served as its chair. She is also a past chair of the ABA's Joint Committee on Employee Benefits, a former plaintiff's co-chair to the ABA's Labor and Employment Law's Employee Benefit Committee, and a former member of the DOL's ERISA Advisory Council. She was named one of the country's top benefits lawyers by the *National Law Journal*.

BARRY S. SLEVIN

Barry S. Slevin of Slevin & Hart, P.C., represents plans and litigates employee benefit issues. He is a charter Fellow of the American College of Employee Benefits Counsel and co-chair of the American Bar Association's Employee Benefits Committee's Subcommittee on Multiemployer Withdrawal Liability. He has served as co-chair of the Subcommittee on the PBGC and Plan Termination of the ABA Employee Benefits Committee, and was a member of the Attorneys Committee of the IFEBP, the Termination Committee of the Association of Private Pension and Welfare Plans and the Working Committee of the NCCMP. Mr. Slevin has been recognized in the publication, "Washington, D.C. Super Lawyers" from 2007 through 2014. He is the author of numerous articles and speaks often on employee benefits issues.

NORMAN STEIN

Norman Stein teaches tax and benefit subjects at the Thomas R. Kline School of Law at Drexel University and is a Senior Policy Consultant to the Pension Rights Center. Norman is the secretary and a charter member of the American College of Employee Benefits Counsel and the chair of the American Association of Law Schools Section on Employee Benefits and Executive Compensation. He is also a Fellow of the National Academy of Social Insurance, a member of the Bloomberg BNA Benefits Practice Resource Center Advisory Board, and the GAO Expert Panel on Retirement Security. He has written numerous articles and books on employee benefits. He is a graduate of New College and Duke Law School.

JOHN L. UTZ

John L. Utz is an attorney in the Overland Park, Kansas office of Utz & Lattan, LLC, focusing exclusively on employee benefits and executive compensation law. He is a Fellow in the American College of Employee Benefits Counsel and is active in the American Bar Association, having served as chair of the Employee Benefits Committee of the Section of Taxation and other ABA subcommittees. Mr. Utz also serves as an editor and author for *ERISA Litigation Reporter*, has published more than 100 articles in professional journals, and has been a frequent speaker at national employee benefits seminars. A graduate of the University of Missouri, Mr. Utz holds a law degree and a master's degree from the University of Illinois.

JIM WOOTEN

Jim Wooten is professor of law at SUNY Buffalo Law School and author of *The Employee Retirement Income Security Act of 1974: A Political History* (University of California Press/Milbank Memorial Fund/Employee Benefit Research Institute, 2004). His research focuses on regulatory and tax policies affecting retirement plans, health plans, and other employee benefit plans. He is a Fellow of the American College of Employee Benefits Counsel, a member of the National Academy of Social Insurance, and a Fellow of the Employee Benefit Research Institute.