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**Areas of Practice**

ERISA, Labor &  
Employment

ERISA/Employee  
Benefits/Litigation/Executive  
Compensation

Litigation

**Education**

University of Wisconsin  
Law School, J.D., *cum laude*,  
1984, Note and Comment  
Editor, *Wisconsin Law  
Review*

University of Wisconsin -  
Madison, M.A., History,  
1983

University of Wisconsin -  
Madison, B.A., 1979

**Judicial Clerkships**

Hon. Barbara B. Crabb,  
Chief Judge, US District  
Court, Western District of  
Wisconsin, 1984-1985

**Bar & Court Admissions**

District of Columbia

**Eric G. Serron**

Eric G. Serron is a partner in the Washington office of Steptoe & Johnson LLP, where he is a member of the Litigation Department. He practices primarily in the employee benefits area, with a particular emphasis in Employee Retirement Income Security Act (ERISA) litigation and fiduciary responsibility issues.

Mr. Serron regularly provides advice and counsel to clients regarding their obligations under Title I of ERISA, including compliance with ERISA’s fiduciary responsibility provisions and prohibited transaction rules. He represents clients before the Department of Labor in matters involving ERISA compliance issues. He also represents clients in litigation matters, including cases involving alleged breaches of fiduciary duty, benefit claims disputes, withdrawal liability cases, and cases raising questions of ERISA preemption of state law. He successfully defended claims against former members of a profit sharing plan’s administrative committee who were alleged to have breached their fiduciary duties by failing to consummate a sale of the plan’s employer stock to another shareholder in the midst of a contest for control over the company. In another case, he persuaded a state supreme court to dismiss on ERISA preemption grounds a nationwide class action alleging that a pharmaceutical benefits manager unjustly enriched itself at the expense of health plan participants by “misclassifying” a generic drug as a brand name drug in assessing copayments due under the plans. He also was involved in the successful defense of fiduciary breach claims against an investment manager based on investments in complex mortgage derivatives.

Prior to joining Steptoe, Mr. Serron served as a trial attorney in the Plan Benefits Security Division of the Office of the Solicitor, US Department of Labor. In that capacity he represented the Secretary of Labor in complex fiduciary breach cases under ERISA at both the trial and appellate court levels. During this time, he represented the Secretary in a number of actions involving debt-financed Employee Stock Ownership Plan (ESOP) transactions, including *Reich v. Valley National Bank*, 837 F. Supp. 1259 (S.D.N.Y. 1993), which contributed substantially to the development of the law governing ESOP-financed leveraged buyouts. He also prosecuted cases against pension plan fiduciaries who purchased plan termination annuities from Executive Life Insurance Company, formulated the Department’s legal analysis of rebates paid on experience-rated insurance contracts, and authored *amicus curiae* briefs on a variety of topics, including ERISA preemption, fiduciary responsibility, and remedies.

Mr. Serron is an adjunct professor with the Georgetown University LLM program and speaks frequently on employee benefits matters.

## Eric G. Serron

### Noteworthy

- Recommended by *Legal 500 US 2009-2011* for Labor & Employment: ERISA Litigation
- Listed in *Best Lawyers in America 2012* for ERISA Litigation

### Select Seminars & Events

"Remedies and 401(k) Fee Cases," *24th Annual ERISA Litigation Conference*, February 9, 2012

"401(k) Fee Cases," *24th Annual ERISA Litigation Conference*, November 9, 2011

"Recent Developments and Trends in Retirement Plan Litigation," *Insured Retirement Institute's Government, Legal & Regulatory Conference*, June 24, 2011

"Can You Avoid Becoming a Fiduciary?," April 26, 2011, *Retirement Industry Trust Association (RITA) 2011 Spring Conference*, Speaker

Eric Serron Will Speak at DC Bar Employee Benefits Committee Lunch Program on ERISA Litigation, April 21, 2011

Paul Ondrasik and Eric Serron Speak at 23rd Annual ERISA Litigation Conference (Orlando, FL), February 17, 2011

### Selected Publications

ERISA Advisory - CFTC Announces New Swap Rules  
February 2, 2012

ERISA Advisory - Labor Department Issues Final Regulations Addressing Provision of Investment Advice to Participants and Beneficiaries of Self-Directed Individual Account Plans and IRAs  
October 31, 2011

Recent Developments in Public Utility, Communications and Transportation Industries 2011

New Disclosures Required for Participant-Directed Individual Account Plans  
June 8, 2011, *Employee Relations Law Journal*

ERISA Advisory - Proposed Regulation Redefining Fiduciary  
November 5, 2010

Recent Developments in Public Utility, Communications and Transportation Industries 2010

**Eric G. Serron**

July 2010

ERISA Advisory - ERISA Advisory Council Makes Stable Value Fund  
Recommendations to Labor Department

November 17, 2009

ERISA Advisory - Labor Department Issues But Then Proposes to Delay  
Effective Date of Final Regulation Addressing Provision of Investment Advice  
to Participants and Beneficiaries of Self-Directed Individual Account Plans

February 3, 2009