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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* for Labor & Employment: ERISA Litigation

Seminars & Events

Paul Ondrasik and Eric Serron to Speak at 22nd Annual ERISA Litigation Conference (Orlando, FL), February 11, 2010

Paul Ondrasik and Eric Serron to Speak at 22nd Annual ERISA Litigation Conference (Las Vegas, NV), October 22, 2009

Eric Serron Speaks at DC Bar Panel Discussion on ERISA Litigation, September 17, 2009

Paul Ondrasik Co-Chairs, Eric Serron Speaks at, 21st Annual ERISA Litigation Conference, February 12, 2009

401(k) Fees: An Update on Regulatory Actions Affecting Service Providers, July 23, 2008

Eric Serron to Speak at Washington Legislative Update at Washington Court Hotel, May 19, 2008

Selected Publications

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

ERISA Advisory - Labor Department Issues Proposed Regulations and Class Exemption Addressing Provision of Investment Advice to Participants and Beneficiaries of Self-Directed Individual Account Plans and IRAs
August 25, 2008

ERISA Advisory - Labor Department Issues Enforcement Guidelines Dealing With The Receipt Of Gifts And Gratuities By Plan Fiduciaries
August 4, 2008

ERISA Advisory - Labor Department To Issue Proposed Regulations Addressing Notice Requirements In Participant-Directed Plans
July 22, 2008

ERISA Preemption and State Health Care Reform (Part 2)

Eric G. Serron

Summer 2008, *infrastructure*

ERISA Preemption and State Health Care Reform (Part 1)

Spring 2008, *infrastructure*

Prudent Methods for Evaluating, Selecting and Monitoring Plan Advisors

Chapter 15, *Fiduciaries and Their Professional Advisors* (Published by the International Foundation of Employee Benefit Plans)

February 2008

ERISA Update - *Leber v. Citigroup, Inc.* and *Gipson v. Wells Fargo & Co.*

December 11, 2007