

First In The Nation Actuarial Equivalence Case Moves Toward Trial

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On August 28, United States Magistrate Judge Douglas E. Miller issued his recommendation that summary judgment be denied in *Herndon v. Huntington Ingalls*.

The recommendation sets the Eastern District of Virginia case on the path to being the first trial in the country on the issue of whether pension plans are required to use reasonable mortality assumptions when calculating pension benefits.

Bailey Glasser Employee Benefits lawyers Gregory Porter and Mark Boyko, along with their co-counsel, represent Herndon, and other former employees of Huntington Ingalls, alleging that the use of outdated mortality assumptions undermined their pension benefits. Bailey Glasser and their co-counsel represent plaintiffs in several other cases nationwide similarly looking to hold employers liable for the continued use of decades-old mortality tables.

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Practice Areas

ERISA, Employee Benefits & Trust Litigation