

US District Court Grants Class Certification in Choate v. Wilmington Trust

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Current and former employees of Martin Resource Management scored a victory when US District Judge Richard G. Andrews granted class certification of the claims brought by Rodney Choate, a participant in the company's Employee Stock Ownership Plan (ESOP). On behalf of other plan participants, Choate alleges that plan trustee Wilmington Trust violated the Employment Retirement Income Security Act (ERISA) by allowing overpayment of company stock in a two-stage transaction totaling \$375.5 million that took place in 2012 and 2013.

Judge Andrews ruled that the class was numerous enough for certification since the ESOP had 2,346 participants in 2012 and 1,828 in 2013, and the questions in the case were common to the entire class. The case was covered by *Law360* (subscription required).

Bailey Glasser was appointed as class counsel along with Feinberg, Jackson, Worthman & Wasow LLP. The case is pending in the US District Court for the District of Delaware, Case Number 1:17-cv-00250.

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Practice Areas

ERISA, Employee Benefits & Trust Litigation