

SUMMARY JUDGMENT DISMISSING CLAIM FOR LONG-TERM DISABILITY BENEFITS UNDER ERISA-GOVERNED PLAN

Hodgson Russ has successfully defended fiduciaries of ERISA-governed benefits plans against claims of long-term disability benefits. On multiple occasions, we obtained summary judgments dismissing plaintiffs' claims based on the argument that the plaintiffs failed to meet the burden of proof establishing their disabled status. In at least one case, surveillance photos were used to demonstrate the non-disability of the plaintiff, and in all cases, summary judgment in favor of our clients was achieved with minimal discovery.

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