



Donald P. Sullivan

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Practices

Class Actions and Complex Litigation
Employee Benefits
ERISA Complex Litigation

Education

Georgetown University Law Center
J.D., 1996

University of California, Berkeley
A.B., 1993

Admitted to Practice

- 9th Circuit Court of Appeals, 1999
- California - C.D. Cal., 1999
- California - E.D. Cal., 1999
- California - N.D. Cal., 1999
- California - S.D. Cal., 2006
- California, 1997

Donald P. Sullivan is a Principal in the San Francisco, California, office of Jackson Lewis P.C. Mr. Sullivan has more than 20 years of experience defending and counseling employers, as well as fiduciaries, sponsors, and insurers of employee benefit plans, in state and federal courts and before state and federal agencies, including the United States Department of Labor, the Equal Employment Opportunity Commission, and California's Departments of Industrial Relations and Fair Employment and Housing.

In his employee benefits practice, Mr. Sullivan regularly advises and represents both pension and welfare benefit plans and their fiduciaries in class action and single-participant litigation. With respect to pension plans, Mr. Sullivan defends plans and fiduciaries against lawsuits alleging imprudent investments in employer securities, imprudent selection of investment options, excessive administrative fees, and entitlement to benefits. With respect to welfare plans, Mr. Sullivan defends plans, fiduciaries, and insurers of insured benefit plans in both ERISA and non-ERISA actions seeking the payment of short and long-term disability, life and medical benefits. Mr. Sullivan also frequently represents employee benefit plans and their fiduciaries in investigations conducted by the U.S. Department of Labor.

In his employment practice, Mr. Sullivan defends clients in cases alleging violations of the California Labor Code related to the payment of wages, as well as in lawsuits alleging discrimination on the basis of race, gender, age and disability in violation of California's Fair Employment and Housing Act and federal statutes, including Title VII, the ADA, and the ADEA. He has extensive experience defending both single-plaintiff and class action ERISA and California wage and hour lawsuits. Integral to Mr. Sullivan's practice are the privacy protections afforded to individuals under the Health Insurance Portability and Accountability Act (HIPAA).

Mr. Sullivan's interest and commitment to the employment and employee benefits practice has very deep roots. In college, he worked for the Office of Labor Relations and Collective Bargaining for Washington, D.C. He worked for the U.S. Equal Employment Opportunity Commission while in law school. After law school, he began representing employers and management in employment and labor disputes, while developing a sub-specialty in employee benefits, ERISA, and healthcare. Mr. Sullivan was a law clerk for the Honorable Everett A. Martin, Fourth Judicial Circuit of Virginia, 1996-1997. Before joining Jackson Lewis, Mr. Sullivan practiced in the Chambers USA awarding-winning labor and employment group of a national Philadelphia-based law firm.

Professional Associations and Activities

- American Bar Association, Labor & Employment Section, Employee Benefits Committee: Employee Benefits Law, 2019-present [Senior Editor]; ERISA Welfare Benefit Plan Subcommittee, 2010-2019; ERISA Preemption Subcommittee, 2007-2010 [co-chair]; Civil Practice and Procedure Subcommittee, 2000-2007 [Member]
- San Francisco Bar Association
- Western Pension Benefits Conference, San Francisco Chapter, Programs Committee, 2007-2009 [Member]

Pro Bono and Community Involvement

- For the past several years, Mr. Sullivan has provided pro bono employment counseling to the Center for Justice and Accountability, which prosecutes dictators for Foreign Corrupt Practices Act violations and human rights abuses.

Honors and Recognitions

- *The Best Lawyers in America*®, “Employee Benefits (ERISA) Law” (2021)
- California Super Lawyers®, “Super Lawyer” (2017-2020)