



Howard Shapiro

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Practices

Employee Benefits
ERISA Complex Litigation

Services

Managing Your Work Force
and WARN Act
Compliance

Education

Loyola University New
Orleans School of Law
J.D., 1979

McGill University
M.A., 1975

Tulane University
B.A., 1972

Admitted to Practice

- U.S. Supreme Court, 1991
- 3rd Circuit Court of Appeals (inactive), 2010
- 4th Circuit Court of Appeals, 2010
- 5th Circuit Court of Appeals, 1981
- 6th Circuit Court of Appeals, 1997
- 7th Circuit Court of Appeals, 2001
- 8th Circuit Court of Appeals, 2007
- 9th Circuit Court of Appeals, 1999

Howard Shapiro is a principal in the New Orleans, Louisiana, office of Jackson Lewis P.C., and is co-leader of the firm's ERISA Complex Litigation group. Howard focuses his practice on the defense of large, sophisticated ERISA class actions.

Howard defends "bet-the-company" litigation where damages are potentially material. His cases involve the defense of Defined Benefit plans, 401(k) Plans, and 403(b) Plans. He also defends litigation involving health and welfare plan issues. His practice is nationwide, and throughout his career, Howard has appeared as counsel across the entire country. Typically, his cases involve damage allegations in excess of hundreds of millions of dollars. Howard has defended cases involving: breach of fiduciary duty; breach of the duty of loyalty; Prohibited Transactions; 401(k) Plan asset performance, fees, and expense issues; 403(b) Plan asset performance, fees, and expense issues; defined benefit plan asset issues, accrual issues, and cut-back issues; Cash Balance Plan issues; ESOP litigation; fiduciary misrepresentation claims; sophisticated preemption issues; Executive Compensation litigation, both pension and welfare claims; Directed Trustee claims; retiree rights litigation; severance plan class actions; Section 510 cases; and complex benefit claim cases. He has appeared in federal courts from coast to coast while maintaining an active national ERISA litigation practice.

Honors and Recognitions

- Acritas, Acritas Stars, ERISA Litigation (2019)
- *The American Lawyer*, Litigator of the Week, Runner Up (August 30, 2019)
- Benchmark Litigation, Local Litigation Star, ERISA (2020)
- *Chambers USA*, "Labor & Employment" (2020)
- *Lawdragon and Human Resource Executive*, Top 100 Labor & Employment Lawyers Guide, ERISA Litigation (2020)
- Legal 500 USA, "Recommended Attorney" (2020)
- *My New Orleans*, Top Lawyers, Employee Benefits Law (2018)
- *New Orleans CityBusiness*, Leadership in Law
- *Super Lawyers®*, "Super Lawyer" (2007-present)

Speeches

- "ERISA Benefit Claims Litigation: What is the Fifth Circuit Up to Now?," LSBA Employment Law Update 2020 (October 2020)
- "ERISA Litigation: Arbitration Issues," ALI-CLE 2020 Employee Benefit Plans Program (October 2020)
- "2019-2020: What's Up in ERISA Litigation?," SouthWest Benefits Association

- 10th Circuit Court of Appeals, 1989
- Louisiana - E.D. La., 1979
- Louisiana - M.D. La., 1981
- Louisiana - W.D. La., 1983
- Louisiana, 1979
- 31st Annual Benefits Compliance Conference (November 2020)
- “The Rise in Arbitration for ERISA Cases,” American Conference Institute’s 18th National Forum on ERISA Litigation (November 2020)