

Overview

Pension regulations and administration, special tax and investment regimes and the possible disputes arising from these are only a few examples of the challenges confronting employers.

Dentons' Pension Dispute Group has extensive experience in the pension and benefits sector, as well as in the complementary areas of tax, labor and employment, trusts and corporate law.

We act for private and public sector employers with both unionized and non-unionized work-forces. We advise on the pension issues involved in mergers and acquisitions. We represent clients before courts and tribunals around the world. We help employers, administrators, trustees and pension committees understand their options and responsibilities and structure their programs to deal with present and future challenges. We provide prompt, effective response that results in cost-efficient solutions to our clients' problems.

We don't offer administration, actuarial or other pension consultancy services.

Representative Experience

- **Canada Post Corporation:** Advising on designing and structuring its federally-regulated pension plan and supplementary pension plan. Advising on plan governance and fiduciary liabilities and assisting with the day-to-day administration of its retirement arrangements.
- **Global financial services firm:** Acting on behalf of 22 Lehman Brothers UK companies being pursued by the Pensions Regulator for a financial support direction of £120m that they (with other Lehman Bros. companies) provide to the Lehman Brother UK Pension Scheme, including successfully defending them against such liability before the Pensions Regulator's Determination Panel and seeking to strike-out an appeal against that decision by the Pension Trustees before the Upper Tribunal and acting for these companies in further appeals and cross-appeals before the Court of Appeal.
- **Kraft Foods Group, Inc.:** Advising on the Canadian pension and benefit work on an ongoing basis and during a spin-off involving a series of global transactions designed to separate the grocery and snack businesses and operations of their North American grocery business. As part of the spin-off, Kraft Foods Inc. is changing its name to Mondelez International, Inc. and effective October 2, 2012, Mondelez and Kraft Foods Group are now separately listed for trading on The NASDAQ Global Select Market.
- **Mutual insurance company:** Achieving a favorable decision that affirmed the dismissal of a \$100+ million purported class action lawsuit, challenging changes by our client to its retiree medical plan that reduced its costs under the plan. The suit claimed that the retirees had a right to require the insurance company to pay more of the cost of retirees' medical benefits than the insurer felt it could afford. The trial and appellate courts disagreed. They dismissed all of the claims under ERISA and all of the related state law claims. We also successfully opposed the retirees' Petition for Certiorari to the US Supreme Court.
- **Nortel Networks Inc.:** Serving as Canadian counsel for the Official Committee of Unsecured Creditors and certain of its direct and indirect subsidiaries in the cross-border CCAA/Chapter 11 proceedings.
- **PepsiCo Inc.:** Providing ongoing advice in regards to Canadian pension and benefits matters including quarterly meetings with their management team to advise on the governance of multimillion dollar employee benefit plans.
- **Publicly held retail company:** Successfully defended a case involving an ERISA group health insurance plan --

sponsored by the company -- and one of the company's employees. In the action, a hospital asserted a negligent misrepresentation claim against the company. On behalf of the company, we moved to dismiss the complaint on several grounds, including ERISA preemption. The court granted the company's motion to dismiss the complaint for failure to state a cause of action and the court denied the plaintiff's motion to reargue.

- **The Blackstone Group:** Assisting in connection with the acquisition from Gecina and financing of a portfolio of 26 logistic properties throughout France, one located in Spain and one located in Belgium. This was the largest logistics sale of the year 2012 in France.