

## IN FOCUS

ACI's ERISA Litigation Conference

The ERISA Industry Committee's (ERIC) Annual Fall Committee and Membership Meetings

ERISA Industry Committee (ERIC) FocusOn Conference Call



## Anthony F. Shelley

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Anthony Shelley's practice focuses on the litigation of pension benefits and health care issues before the federal and state trial and appellate courts and administrative agencies. Mr. Shelley's experience includes the litigation of matters involving the Employee Retirement Income Security Act (ERISA) and other federal employee benefits statutes, such as the Federal Employees Health Benefits Act (FEHBA).

He has defended companies and plans in class actions and individual suits concerning challenges to benefits denials, exclusions from coverage, and subrogation and reimbursement matters. He has dealt frequently with issues of federal jurisdiction and the preemption of state law. Mr. Shelley's experience also extends to disputes under the Medicare Act. He has argued before the U.S. Supreme Court and served as lead counsel in several important Circuit court cases. [More >](#)

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### Practice Areas

[Health & Welfare Plans](#)  
[ERISA & Fiduciary Litigation](#)  
[Supreme Court & Appellate Litigation](#)

### Representative Engagements | [View All](#)

- *Davis, et al. v. Pension Benefit Guaranty Corp.*, No. 1:08-cv-01064 (D.D.C.) (pending). (This ERISA-based action, emanating out of U.S. Airways' bankruptcy and its related decision to effect a distress termination of its pension plan, asserts several claims for equitable and declaratory relief, primarily focused on the PBGC's methods for calculating retirement benefits.)
- *Petitioner in Empire HealthChoice Assurance, Inc. v. McVeigh*, 126 S. Ct. 2121 (2006) (Whether the federal courts have jurisdiction over subrogation disputes involving FEHBA plans.) Mr. Shelley served as lead counsel.
- *Metropolitan Life Ins. Co. v. Glenn*, No. 06-923 (June 19, 2008) (*Amicus* brief on behalf of the Blue Cross and Blue Shield Association addressing level of deference owed to plan interpretation by ERISA plan administrator.)
- *Blue Cross & Blue Shield of Ill. v. Cruz*, 495 F.3d 510 (7th Cir. 2007) (Whether federal question jurisdiction exists over FEHBA suits involving subrogation.)
- *Long Term Care Partners, LLC v. United States*, No. 516 F.3d 225 (4th Cir. 2008) (Whether the Equal Employment Opportunity Commission has jurisdiction to review denials of insurability with respect to long term care insurance for federal employees.)

### Rankings and Recognition

- *Chambers USA*: ERISA Litigation (National), 2009 - 2014
- *The Best Lawyers in America*®: Employee Benefits (ERISA) Law and Litigation - ERISA, 2011 - 2015
- *Legal 500*: Labor & Employment: ERISA Litigation, 2012 - 2014

### Bar Admissions

- District of Columbia
- New York

### Court Admissions

- United States Supreme Court
- District of Columbia Superior Court
- United States District Court for the District of Columbia
- United States District Court for the District of Maryland
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Eighth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the District of Columbia Circuit

### Education

- J.D., Harvard Law School, 1987
- B.A., Canisius College, 1984

