



DAVID PREMINGER

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PRACTICE EMPHASIS

- Class Actions
- Employee Benefits & Retirement Security
- Fiduciary Breach

EDUCATION

Rutgers University

B.A., 1969, Mathematics

New York University School of Law

J.D., 1972

David Preminger is a practiced advocate for employees, retirees, and beneficiaries. The resident partner in the firm's Complex Litigation Group New York office, David focuses on Employee Retirement Income Security Act ("ERISA") fiduciary breach class action cases as well as individual benefit claims. He has been litigating ERISA cases for over 40 years, since the Act's passage in 1974. David has been the lead counsel or co-counsel on numerous ERISA cases alleging misconduct in connection with the investment of retirement plan assets, including *Hartman et al. v. Ivy Asset Management et al.*, a case involving fiduciary breach related to Madoff investments that resulted in a \$219 million settlement with consolidated cases. He has been involved in ERISA cases against Bear Stearns, Merrill Lynch, Colonial BancGroup and Marsh & McLennan resulting in multi-million dollar settlements on behalf of class members.

David's familiarity with the changes to and nuances of ERISA law allows him to expertly and efficiently interpret the statute and regulations and analyze issues on behalf of his clients. He has handled over 100 trials and in addition to his ERISA experience has extensive experience litigating and negotiating antitrust, real estate, civil rights, family law, and general commercial and corporate matters.

Prior to joining Keller Rohrback, David was a partner at Rosen Preminger & Bloom LLP, where his successes included the In re Masters Mates & Pilots Pension Plan and IRAP Litigation. He was previously a Supervisory Trial Attorney for the Equal Employment Opportunity Commission, a Senior Attorney with Legal Services for the Elderly Poor, and a Reginald Heber Smith Fellow with Brooklyn Legal Services. He is a charter fellow of the American College of Employee Benefits Counsel, was for many years a senior editor of Employee Benefits Law (Bloomberg BNA), and a longtime Board member and Chair Emeritus of the Board of Mabou Mines, an experimental theater company in New York City.

BAR & COURT ADMISSIONS

1973, New York

1973, U.S. District Court for the Eastern District of New York

1974, U.S. District Court for the Southern District of New York

1974, U.S. Court of Appeals for the Second Circuit

1976, United States Supreme Court

1991, U.S. District Court for the Western District of New York

1993, U.S. Court of Appeals for the Ninth Circuit

1995, U.S. District Court for the Northern District of New York

2001, U.S. Court of Appeals for the District of Columbia Circuit

PROFESSIONAL & CIVIC INVOLVEMENT

The Association of the Bar of the City of New York,
Member, Committee on Employee Benefits, 1993-1996;
1996-1999; 2002-2005; Committee on Legal Problems of
the Aging, 1985-1988

New York State Bar Association, *Member*

American Bar Association, *former Co-Chair*, Fiduciary
Responsibility Subcommittee; Committee on Employee
Benefits, Labor and Employment Section; former Co-
Chair, Subcommittee on ERISA Preemption and the
Subcommittee on ERISA Reporting and Disclosure

American College of Employee Benefits Counsel, *Member
and Charter Fellow*

PUBLICATIONS & PRESENTATIONS

Mr. Preminger regularly speaks at conferences on ERISA
and employee benefits litigation and has lectured at New
York University School of Law, Saint John's University
School of Law, and Rutgers University, and has testified
before Congress on proposed amendments to ERISA and
participated in New York State Attorney General's hearings
on protection of pension benefits.

Senior Editor, *Employee Benefits Law* (BNA), (2014-2018).

Chapter Editor, *Employee Benefits Law* (BNA), Chapter 10,
Fiduciary Responsibility (2014-2018).

Preminger & Clancy, *Aspects of Federal Jurisdiction Under
Sections 301(c)(5) and 302(e) of The Taft-Hartley Act – The
"Sole and Exclusive Benefit Requirement,"* 4 Tex. S. U. L. Rev.
1 (1976).

David S. Preminger, E. Judson Jennings & John Alexander,
*What Do You Get With the Gold Watch? An Analysis of the
Employee Retirement Income Security Act of 1974.* 17 Ariz. L.
Rev. 426 (1975).

HONORS & AWARDS

Named to Super Lawyers list in *Super Lawyers - New York*,
2007-2019