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Barboza v. California Ass'n of Professional Firefighters

United States Court of Appeals, Ninth Circuit - April 7, 2015 - Fed.Appx. - 2015 WL 1530411

Appeals Court holds that District Court did not err when it granted summary judgment to long-term disability plan administrators on firefighter's claim that they breached their fiduciary duties by failing to file Internal Revenue Service (IRS) Form 990. The court found that firefighter had not provided any evidence that the Plan administrators violated the "prudent man standard of care," when they did not file Form 990 on the advice of their legal counsel and accountant.

The Appeals Court also held that the District Court erred when it failed to consider firefighter's argument that the Plan administrators breached their fiduciary duties by failing to maintain adequate reserves to maintain the Plan's solvency. The issue was remanded to the District Court to determine whether there was a triable issue of fact as to whether the Plan administrator's discharged their fiduciary duties by relying on the advice of their actuary when they structured the Plan's reserves.