



Danielle K. Herring

Shareholder
Co-Chair, ERISA and Benefit Plan Litigation
Practice Group

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Focus Areas

ERISA and Benefit Plan Litigation
Discrimination and Harassment
Wage and Hour
Healthcare
Financial Services
Energy

Overview

Danielle K. Herring focuses her practice on a variety of employment litigation matters as well as client counseling. She represents employers in federal and state courts and before administrative agencies, such as the Equal Employment Opportunity Commission, the Texas Workforce Commission, the Department of Labor, and the Occupational Safety and Health Administration.

Danielle also regularly counsels employers on issues involving federal, state and local statutes and regulations, as well as the common law. She has represented employers in administrative charges, litigation and disputes related to:

- Discrimination on the basis of age, race, sex, national origin, religion, and disability
- Retaliation
- Harassment
- The Employee Retirement Income Security Act
- Wage and hour disputes
- The Family and Medical Leave Act

- Employment tort claims

Danielle's litigation practice includes a particular focus on denial of benefits claims filed under ERISA. She has experience defending plan sponsors, fiduciaries and claims administrators in a wide range of ERISA cases across the country.

Danielle is the co-chair of the ERISA and Benefit Plan Litigation Practice Group. Danielle also serves as co-chair of 'Ohana, the firm's affinity group for attorneys of Asian, South Asian, Pacific-Islander, Middle Eastern, and North African descent, and on the steering committee for the firm's Women's Leadership Initiative.

Professional and Community Affiliations

- Member, American Bar Association
- Member, Houston Bar Association
- Member, Asian American Bar Association of Houston
- Member, State Bar of Texas
- Council member, Labor & Employment Section, Houston Bar Association, 2012-2015
- Dean, Delta Theta Phi Law Fraternity International, Baylor University School of Law

Recognition

- Named, Rising Star, Texas, *Super Lawyers*, 2016-2017
- Named, Rising Star, *Texas Monthly Magazine*, 2012-2015
- Named, Top Lawyer, *Houstonia Magazine*, 2015

Education

J.D., Baylor University School of Law, 2003

B.A., Baylor University, 1998, *With Honors*

Bar Admissions

Texas

Courts

U.S. District Court, Northern District of Texas
U.S. District Court, Eastern District of Texas
U.S. District Court, Southern District of Texas
U.S. District Court, Western District of Texas
U.S. Court of Appeals, 5th Circuit
U.S. Court of Appeals, 6th Circuit
U.S. Court of Appeals, 9th Circuit

Publications & Press

Circuit Courts Grapple With the Permanence of Retiree Health Benefits Under Collective Bargaining Agreements

Littler Insight

August 12, 2019

Another Post-Dudenhoeffer 'Stock Drop' Casualty

Law360

May 1, 2018

A Uniform Standard of Review in ERISA Benefit Denial Cases: The Fifth Circuit Overrules Itself to Fall in Line with Other Courts

Littler ASAP

March 16, 2018

Littler's 'Ohana Affinity Group Names Danielle Herring as Co-Chair

Littler Press Release

January 30, 2018

Two Littler Shareholders Named as Practice Group Co-Chairs

Littler Press Release

June 2, 2017

Workplace Equity: Striving to Become Gender-Neutral in the Office

Texas Lawyer

November 1, 2016

Claims Review Procedures Must Be in Plan Document (Not Just SPD) Post-Amara, District Court Holds

Littler ASAP

January 11, 2012

Littler Mendelson Announces 13 Newly-Elevated Shareholders

Littler Press Release

January 19, 2010

Speaking Engagements

2018 Houston Employer Conference

Houston, TX

August 8, 2018

Closed Due to Inclement Weather - Best Practices for Addressing Employment Issues Following Natural Disasters

Houston, TX

October 24, 2017

Human Resource Law from A to Z

NBI Seminar, Houston, TX

May 2, 2017

2016 Houston Employer Conference

Houston, TX

August 11, 2016

Chutes and Ladders: Tips for Winning When Faced with Wage/Hour Challenges Under the FLSA

October 22, 2015

2015 Houston Employer Conference

Houston, TX

August 13, 2015

Hiring, Performance Management and Termination

Labor & Employment Webinar Series - Littler Mendelson and BB&T

September 18, 2014

The 2014 Houston Employer Conference

Houston, TX

August 14, 2014

Ethical Issues for Corporate Counsel

Littler Mendelson, Houston, TX

August 22, 2013

The Shifting Landscape of Employee Benefits – Imperatives for 2012 and Beyond

Los Angeles, CA
October 11, 2012

The 2012 Houston Employer Conference

Houston, TX
August 2, 2012

Controlling Employee Personal Behavior in the Age of Social Media and Personal Technology

Littler Mendelson, Houston, TX
August 2, 2012

Top Ten Mistakes Employers Make, and How to Avoid Them

2012 Annual Meeting - State Bar of Texas
June 14, 2012

The 2011 Houston Employer Conference

Houston, TX
August 11, 2011

Retaliation: How Do You Stop It, What Does It Mean and Why Are Claims Still Growing?

Littler Mendelson, Houston, TX
August 12, 2010

The Lilly Ledbetter Fair Pay Act: How to Walk the Minefield

Houston, TX
June 30, 2009

Federal Discrimination Update – Recent Decisions of Interest from the Supreme Court and Fifth Circuit

Advanced Employment Law CLE - University of Houston, Houston and Dallas, TX
March 2009

Avoiding Employment Law Claims: Top Ten Ways to Avoid Getting Sued by Employees

University of Houston Law Foundation, Houston and Dallas, TX
June 2008

Don't Say FMLA Unless You Mean It

Legal Update, Labor and Employment Section - Houston Bar Association
June 2006

Managing Human Resources: A Legal Perspective

University of Houston Continuing Education, Houston, TX
2006

Legal Fundamentals for Employers

Houston, TX
November 16, 2005

Top Ten HR Issues

Nonprofit Law Institute, Houston, TX
March 3, 2005

Books & Book Chapters

- *Employee Benefits Law, Third Edition, 2015 Cumulative Supplement*, Contributing Author