



## **Simon J. Torres**

Of Counsel

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## **Practice Areas**

ERISA and Benefit Plan Litigation  
Employee Benefits  
Litigation and Trials

## **Overview**

Simon J. Torres focuses his practice on defending claims brought under the Employee Retirement Income Security Act of 1974, as amended (ERISA), including fiduciary breach, health and medical benefits, and benefit discrimination claims brought against plan sponsors, fiduciaries, and service providers. Simon has represented defendants in defined contribution plan litigation on investment options and fees, pension benefit claims, retiree health/medical benefit actions, and ERISA section 510 claims.

In addition to ERISA, Simon has represented employers in litigation that included: federal Title VII, federal Section 1981, and related state law employment discrimination claims; wrongful termination claims; federal and state wage and hour claims; and federal contractor compliance matters.

Simon's ERISA counseling practice includes representation on pension and welfare plan administration and fiduciary matters, qualified domestic relations orders, COBRA, and subrogation issues for health and welfare plans.

Simon has counseled employers on non-ERISA issues under the ADEA, ADA, Title VII, FMLA, FLSA, Sections 1981 and 1983, HIPAA, USERRA, the Maryland Wage and Hour Law, and the Maryland Wage, Payment, and Collection Law; severance agreements, termination agreements, and employee policies and handbooks (including anti-harassment, retaliation, and discrimination practices); and workforce reductions and terminations.

Simon's government service of over 10 years as an attorney and Assistant General Counsel at the Pension Benefit Guaranty Corporation included representing the agency in federal district, bankruptcy, and appellate courts in litigation relating to the agency's statutory functions and duties under Title IV of ERISA, and providing counsel on the agency's pre-termination and

post-plan termination activities. Simon was also a senior coordinator of PBGC's summer law clerk program and a member of the legal department's training committee.

Simon is a frequent presenter on legal ethics for employee benefits attorneys and professionals for the ABA, and has presented on the same subjects for the International Foundation of Employee Benefit Plans and Practising Law Institute.

## Professional and Community Affiliations

- Member, Labor and Employment Law Section's Employee Benefits Committee, Former Government/Neutral Co-chair (2024-25), Ethics Subcommittee Co-chair (2016-24), Government Fellow (2016-18), American Bar Association
- Board Member, Craig Willinger Fund
- Co-president, Arsenal FC Supporters' Club for Baltimore, Charm City Gooners
- Former Member, Member Young Lawyers Section and Young Lawyers Section Council (2013-15), Co-chair Family Friendly Initiative Group of Young Lawyers Section Council (2013-15), Maryland State Bar Association
- Former Member, President (2021-24), Parliamentarian (2020-21), Wyman Park Community Association
- Former Member, President (2020-22), Hampden Elementary/Middle School Parent Teacher Organization

## Education

J.D., American University, Washington College of Law, 2006

B.S.F.S., Georgetown University, 2000

## Bar Admissions

District of Columbia

## Courts

U.S. Court of Appeals, D.C. Circuit

U.S. Court of Appeals, 4th Circuit

U.S. District Court, District of Columbia

U.S. District Court, District of Maryland

## Books & Book Chapters

- ABA Section of Labor and Employment Law, *Employee Benefits Law, Fourth Edition*, Chapter Editor, 2020-2022 Updates
- ABA Section of Labor and Employment Law, *Employee Benefits Law, Third Edition*, Contributing Author, 2012