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## Simpson Thacher Defeats Class Certification in Hilton ERISA Action

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On October 7, the U.S. District Court for the District of Columbia denied plaintiffs' renewed motion for class certification in an ERISA lawsuit against Hilton and Hilton Hotels Retirement Plan involving allegations that vested benefits were improperly denied to three subclasses of claimants who pursued administrative claims for benefits. The District Court concluded that the plaintiffs' purported class could not be certified because it is "fail safe" and can only be determined after a finding on the validity of the plaintiffs' claims. The Court further held that the proposed class faces two additional barriers to certification due to a lack of commonality in one subclass and a proposed class representative whose claim is atypical for the class he purports to represent.

*Law360* profiled the decision [here](#).

The Simpson Thacher team includes Jonathan Youngwood, Shannon McGovern, Jonathan Myers and Kathryn Chang.

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