



(He/Him)

Principal, New Orleans

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Howard Shapiro is a principal in the New Orleans, Louisiana, office of Jackson Lewis P.C., and is co-leader of the firm's ERISA Complex Litigation practice group. Howard focuses his practice on the defense of large, sophisticated ERISA class actions.

Howard defends "bet-the-company" litigation where damages are potentially material. His cases involve the defense of Defined Benefit plans, 401(k) Plans, and 403(b) Plans. He also defends litigation involving health and welfare plan issues. His practice is nationwide, and throughout his career, Howard has appeared as counsel across the entire country.

Typically, his cases involve damage allegations in excess of hundreds of millions of dollars. Howard has defended cases involving: breach of fiduciary duty; breach of the duty of loyalty; Prohibited Transactions; 401(k) Plan asset performance, fees, and expense issues; 403(b) Plan asset performance, fees, and expense issues; defined benefit plan asset issues, accrual issues, and cut-back issues; Cash Balance Plan issues; ESOP litigation; fiduciary misrepresentation claims; sophisticated preemption issues; Executive Compensation litigation, both pension and welfare claims; Directed Trustee claims; retiree rights litigation; severance plan class actions; Section 510 cases; and complex benefit claim cases. He has appeared in federal courts from coast to coast while maintaining an active national ERISA litigation practice.

Practices

- Class Actions and Complex Litigation
- Environmental, Social and Governance (ESG)
- ERISA Complex Litigation
- Financial Services
- Employment Litigation
- Life Sciences
- Construction
- Real Estate

Education

- Loyola University New Orleans School of Law, J.D. 1979
- McGill University, M.A. 1975
- Tulane University, B.A. 1972

Admitted to Practice

- U.S. Supreme Court 1991
- 3rd Circuit Court of Appeals (inactive) 2010
- 4th Circuit Court of Appeals 2010
- 5th Circuit Court of Appeals 1981
- 6th Circuit Court of Appeals 1997
- 7th Circuit Court of Appeals 2001
- 8th Circuit Court of Appeals 2007
- 9th Circuit Court of Appeals 1999
- 10th Circuit Court of Appeals 1989
- Louisiana - E.D. La. 1979
- Louisiana - M.D. La. 1981
- Louisiana - W.D. La. 1983
- Louisiana 1979

Honors and Recognitions

- *New Orleans Magazine*, "Top Lawyers: Employee Benefits Law" (2023-present)
- *The American Lawyer*, "Litigator of the Week, Runner Up" (2019)
- *Benchmark Litigation*, "Litigation Star" (2020, 2025)
- *The Best Lawyers in America*®, "Lawyer of the Year: Employee Benefits (ERISA) Law" (2023, 2025)
- *The Best Lawyers in America*®, "Lawyer of the Year: Litigation - ERISA" (2023, 2025)
- *The Best Lawyers in America*®, "Employee Benefits (ERISA) Law" (2006-present), "Litigation - ERISA" (2011-present) and "Mass Tort Litigation/Class Actions - Defendants" (2022-present)
- *Chambers USA*, "Labor and Employment" (2020-2021), "ERISA Litigation" (2005-present) and "Star Individual: Employee Benefits & Executive Compensation" (2021-present)
- *Lawdragon*, "Top 100 Labor and Employment Lawyers Guide, ERISA Litigation" (2020)
- *Lawdragon*, "500 Leading U.S. Corporate Employment Lawyers" (2020, 2021, 2025)
- *Legal 500 USA*, "Recommended Attorney" (2020) and "Hall of Fame" (2021-present)
- *Martindale-Hubbell*®, "AV Preeminent® - Peer Rated for Highest Level of Professional Excellence" (2014-present)
- *My New Orleans*, "Top Lawyers, Employee Benefits Law" (2018)
- *New Orleans City Business*, "Leadership in Law" (2006)
- *Louisiana Super Lawyers*®, "Super Lawyers" (2007-present)

- *Super Lawyers*®, “Top 10: Louisiana” (2022)
- *Who’s Who Legal*, “Recommended Attorney in Labour, Employment and Benefits” (2021, 2023–present)
- *Who’s Who Legal*, “Recommended Attorney in Pension & Benefits” (2021, 2024)
- *Thomson Reuters*, “Thomson Reuters Stand-out Lawyer – Independently Rated Lawyers” (2023)
- *The College of Labor and Employment Lawyers*, “Fellow” (2000–present)

Speeches

- “Ethics and ERISA Issues for Inside/Outside Attorneys,” Southwest Benefits Association 35th Annual Benefits Compliance Conference (Dallas, TX, November, 2024)
- “ERISA Litigation Update,” Southwest Benefits Association 35th Annual Benefits Compliance Conference (Dallas, TX, November 2024)
- “Ethical Issues in Representing Employers and Plan Sponsors” ALI-CLE 2024 Employee Benefit Plans of Tax-Exempt and Governmental Employers (October 2024)
- “Current State of Plan Litigation and Its Implications” ALI-CLE Employee Benefit Plans of Tax-Exempt and Governmental Employers (October 2024)
- “50 Years of ERISA Preemption: Where Do We Stand?” American Bar Association Joint Committee of Employee Benefits (Virtual, September 2024)
- “ERISA Fiduciary Litigations and Benefit Claim Strategies,” American Bar Association Joint Committee of Employee Benefits (Virtual, June 2024)
- “Current Issues in ERISA Litigation,” American Bar Association Joint Committee of Employee Benefits (Virtual, January 2024)
- “ERISA Litigation Update,” Dallas Bar Association Employee Benefits Committee (Dallas, TX, November 2023)
- “ERISA Litigation Update,” Southwest Benefits Association 34th Annual Benefits Compliance Conference (Dallas, TX, October 2023)
- “ERISA Litigation Update,” Southwest Benefits Association 33rd Annual Benefits Compliance Conference (Dallas, TX, November 2022)
- “At the Intersection of Employee Benefits and Legal Ethics: The Fiduciary Exception and Other Practice Issues,” Dallas Bar Association Employee Benefits/Executive Compensation Section Council’s Annual Ethics CLE Meeting (August 2022)
- “Legal Ethics in Employee Benefits: The Fiduciary Exception and Other Practice Dilemmas,” ALI-CLE 2021 Employee Benefit Plans Program (August 2021)
- “ERISA Benefit Claims Litigation: What is the Fifth Circuit Up to Now?” LSBA Employment Law Update 2020 (October 2020)
- “ERISA Litigation: Arbitration Issues,” ALI-CLE 2020 Employee Benefit Plans Program (October 2020)
- “2019-2020: What’s Up in ERISA Litigation?,” Southwest Benefits Association 31st Annual Benefits Compliance Conference (November 2020)
- “The Rise in Arbitration for ERISA Cases,” American Conference Institute’s 18th National Forum on ERISA Litigation (November 2020)