

# U.S. Supreme Court Seeks Solicitor General's Input on Co-fiduciary Indemnification

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Earlier this month, the U.S. Supreme Court invited the Solicitor General to file a brief expressing the government's views on a petition for certiorari asking the Court to decide whether ERISA permits a cause of action for indemnity or contribution by an individual found liable for breach of fiduciary duty. The underlying dispute resulted from the merger of two companies' employee stock ownership plans (ESOPs), and the subsequent spin-off of part of the surviving ESOP into the ESOP of a company that ultimately collapsed, rendering the value of the employees' plan accounts worthless... [Continue Reading](#)