

Contact

Jaime Santos

Partner

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Jaime Santos is one of the nation's leading appellate and ERISA litigators. Her broad litigation practice encompasses high-stakes civil litigation involving patent disputes, constitutional law, administrative law, class actions, arbitration clauses, and product liability. An experienced appellate advocate, Jaime has argued before the U.S. Supreme Court and has handled matters in every federal court of appeals.

Jaime has particular expertise in handling complex employee-benefits matters, and she co-chairs Proskauer's Compensation & Benefits Litigation Practice. She represents employers, plan sponsors, fiduciaries and financial institutions in complex compensation and benefits disputes, with a particular focus on class actions challenging 401(k) plans, group health plans, and other employee benefit programs. Jaime is at the forefront of emerging areas of benefits litigation, helping clients anticipate new theories of liability and develop strategies that account for the full arc of a dispute—from the earliest stages through trial and appeal.

Some of Jaime's appellate and employee-benefits victories include a win in the Supreme Court on behalf of an immigrant seeking relief from deportation (*Wilkinson v. Garland*), an Eleventh Circuit win on behalf of one of the nation's largest insurance companies involving a complicated matter at the intersection of ERISA and federal tax law (*Romano v. John Hancock Life Insurance Company*), a reverse of class

certification in the Second Circuit (*Haley v. TIAA*), the denial of certiorari in a high-profile reproductive-rights case (*Montana v. Planned Parenthood of Montana*), and the dismissal of a numerous putative ERISA class actions filed against large plan sponsors and service providers, including General Electric, Advance Publications, The Campbell's Company, MassMutual, TIAA, and State Street.

Jaime is ranked by *Chambers USA* for both ERISA Litigation and Appellate Litigation. She has also been recognized by Benchmark Litigation as one of the Top 250 Women in Litigation and has received honors from *The National Law Journal, Law360* and *Corporate Counsel*, among others.

Jaime maintains an active *pro bono* practice, focusing in particular on matters involving immigration, criminal law, prisoners' rights, reproductive rights, and LGBT+ rights. She also regularly speaks about ERISA litigation and matters affecting the Supreme Court. She previously co-hosted the Supreme Court podcast *Strict Scrutiny* and has been a guest on numerous podcasts and programs, including NPR's *All Things Considered*, the National Constitution Center's podcast *We the People*, Bloomberg's podcast *Cases and Controversies*, and, just for good measure, the popular gymnastics podcast *Gymcastic*, where Jaime discussed the Supreme Court's NCAA antitrust case.

Before joining Proskauer, Jaime clerked for Judge Raymond C. Fisher on the U.S. Court of Appeals for the 9th Circuit and Chief Judge George H. King on the U.S. District Court for the Central District of California. She graduated *magna cum laude* from Harvard Law School, where she was a supervising editor on the Harvard Law Review.

Practices

Compensation & Benefits, ERISA Litigation, Litigation, Appellate, Trials

Education

Harvard Law School, J.D.
University of San Diego, B.A.

Admissions & Qualifications

California

District of Columbia

Massachusetts