

Contact

Russell L. Hirschhorn

Partner

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"Russell has strong subject matter expertise."

"Russ is extremely responsive and practical. He listens to the client perspective and is hands on and engaged, while also delegating work as appropriate."

-Chambers USA

Russell L. Hirschhorn is co-head of Proskauer's premier ERISA Litigation Group, which is a significant component of the firm's ERISA Practice Center and globally renowned Labor and Employment Law Department. Russell's practice focuses on employee benefits issues arising under the Employee Retirement Income Security Act of 1974 (ERISA), including class action and complex litigation, U.S. Department of Labor and Internal Revenue Service investigations, and counseling clients on best practices to avoid litigation.

Russell has more than two decades of experience representing plan sponsors, fiduciaries, trustees, and service providers across the country. His work on behalf of clients has included all types of plans, including 401(k) plans, 403(b) plans, defined benefit plans, employee stock ownership plans, executive compensation plans, health and welfare plans, multiemployer plans, multiple employer plans, and severance plans. And, it has included the full gamut of claims arising under ERISA,

including excessive investment and plan administration fees and investment underperformance claims; cash balance plan litigation; claims for benefits; company stock fund cases; claims for delinquent contributions; ERISA § 510 claims; ERISA statutory claims; ESOP litigation; executive compensation claims; independent contractor claims; independent fiduciary representations; multiemployer fund litigation; plan service provider claims; recoupment of plan overpayments; retiree benefits claims; severance plan claims; and withdrawal liability claims.

Deeply dedicated to pro bono work, Russell has been recognized on several occasions for his commitment to pro bono work including by President George W. Bush in receiving the U.S. President's Volunteer Service Award. His pro bono work has included serving as lead litigation counsel in several impact litigations: on behalf of social security recipients whose benefits were unlawfully suspended based on an outstanding warrant, deaf and hard of hearing prisoners in Louisiana prisons seeking disability accommodations, and Swartzentruber Amish in upstate New York to obtain religious exemptions from certain building code requirements. Russell also was a principal drafter of several amicus briefs for the Innocence Project, a legal non-profit committed to exonerating wrongly convicted people.

Practices

Compensation & Benefits, Pension Investing, ERISA Litigation, Class & Collective Actions

Industries

Financial Services, Private Capital

Education

Hofstra University School of Law, J.D.
With Distinction
Research Editor, *Hofstra Law Review*, 2000-2001
Staff Member, *Hofstra Law Review*, 1999-2000
State University of New York at Oswego, B.S.
University of Western Sydney, New South Wales, Exchange Student, 1996
Harvard Law School,
Harvard Law School Executive Education, Accelerated Leadership Program, 2020

Admissions & Qualifications

New York

Court Admissions

Supreme Court of the United States
U.S. Court of Appeals, Second Circuit
U.S. Court of Appeals, Third Circuit
U.S. Court of Appeals, Fourth Circuit
U.S. Court of Appeals, Eighth Circuit
U.S. Court of Appeals, Ninth Circuit
U.S. District Court, New York, Eastern District
U.S. District Court, New York, Northern District
U.S. District Court, New York, Southern District

Memberships

Fellow, American College of Employee Benefits Counsel
Editor-in-Chief, Employee Benefits Law (Bloomberg & ABA)
Former Management Co-Chair, Employee Benefits Committee of the Labor and Employment Law Section, American Bar Association
Management Co-Chair, Trial Institutes Committee Labor and Employment Law Section, American Bar Association
Programming Co-Chair, Employee Benefits Committee of the Labor and Employment Law Section, American Bar Association
Board of Directors, Justice in Aging

Awards & Recognition

Chambers USA: Nationwide: ERISA Litigation, 2026
Chambers USA: Nationwide: ERISA Litigation 2021-2025
New York Super Lawyers 2018-2022
New York Super Lawyers "Rising Stars" 2011-2016
The Legal 500 United States: Leading Lawyer 2020-2023
The Legal 500 United States: Next Generation 2017-2019
The Legal 500 United States: Labor & Employment: ERISA Litigation 2019-2026 (Leading Lawyer 2024-2025, Leading Partner 2026)
The Legal 500 United States: Labor & Employment: Labor & Employment Litigation 2016-2018
Hofstra University School of Law Emerging Leader Award 2007
Pro Bono Service Recognition

The U.S. President's Volunteer Service Award 2004

Washington Lawyers Committee for Civil Rights & Urban Affairs Outstanding Achievement Award, 2019

National Senior Citizens Law center Justice Award, 2014

New York State Bar Association's President's Pro Bono Award 2013

Urban Justice Center Social Justice Award 2013

The Becket Fund for Religious Liberty Inaugural Legal Service Award 2013

The Legal Aid Society for Outstanding Pro Bono Service, 2006

Proskauer Rose Pro Bono Golden Gavel Award 2007, 2016 & 2019