



William D. Hittler (Bill)

Attorney

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Biography

Widely respected by clients, judges, and adversaries alike, Bill devotes much of his practice to representing insurers and self-funded employee benefit plans in life, health and disability ERISA and bad faith actions. His knowledge of federal and state compliance intricacies and his unwavering dedication to exemplary legal services has helped him resolve numerous group employee benefit claims, including those involving denials, plan sponsors, plan terminations, alleged fiduciary duty violations, and more.

Bill is exceptionally committed to his community and volunteering. He represents asylum applicants through the Advocates for Human Rights, and mentors, tutors, or coaches a host of individuals, ranging from enrollees at the University of St. Thomas Law School, Page Education Foundation scholars, students at Las Estrellas School in northeast Minneapolis, youth skiers, and Scouts working on Eagle projects. When he's not working or mentoring, you can find Bill cross-country skiing or spending quality time with his family.

Education

Notre Dame Law School, J.D., 1983

Albion College, B.A., *magna cum laude*, 1980

Bar Admissions

Minnesota

Wisconsin

Iowa

U.S. District Courts (Colorado, Northern District of Florida, Central District of Illinois, Eastern & Western Districts of Michigan, Minnesota, Eastern and Western Districts of Wisconsin, Northern & Southern Districts of Iowa)

U.S. Court of Appeals (2nd, 3rd, 4th, 6th, 8th, 9th, and 11th Circuits)

Key Practice Experience

- ERISA and bad faith life, health, and disability benefits litigation
- Reinsurance coverage and treaty disputes
- Health care litigation
- Federal and state insurance regulatory compliance
- Professional board representation

Representative Matters

- *McIntyre v. Reliance Standard Life Ins. Co.*, 2023 U.S. App. LEXIS 18556 (8th Cir. July 21, 2023) - Upholding decision on disability benefits claim
- *Millis v. Ameritas Life Ins. Corp.*, 2022 U.S. Dist. LEXIS 91102 (N.D. Ill. May 20, 2022) - Long-term disability claim including bad faith, based upon specialty occupation
- *Oliveres v. T-Mobile USA, Inc.*, 997 F.3d 595 (5th Cir. 2021) - Title VII claim for gender discrimination; plaintiff did not allege facts sufficient to support an inference of discrimination
- *McIntyre v. Reliance Std. Life Ins. Co.*, 972 F.3d 955 (8th Cir. 2020) - Reversing and remanding the district court, holding that the district court erred in treating the administrator's conflict of interest as a basis for applying the de novo standard of review
- *Collier v. Reliastar Life Ins. Co.*, 589 Fed. Appx. 821 (9th Cir. 2014) - Long-term disability claim based in part on chronic pain and fatigue brought under county-sponsored benefit plan; bad faith claim dismissal upheld on appeal and benefit claim barred by collateral estoppel following county retirement board's determination plaintiff was not totally disabled

- *CustomAir Ambulance, LLC v. Lund Food Holdings, LLC*, 2018 U.S. Dist. LEXIS 17110 (D. Minn. 2018) – Claim for benefits dismissed based upon failure to exhaust administrative remedies under ERISA
- *Lee v. ING Groep*, 829 F.3d 1158 (9th Cir. 2016) – Claim for long-term disability benefits under ERISA-governed plan; administrator did not abuse its discretion in determining that plan benefits were properly terminated based in part on statements from treating physicians permitting plaintiff to return to work
- *Hall v. Metro. Life Ins. Co.*, 750 F.3d 995 (8th Cir. 2014) – ERISA plan administrator did not abuse its discretion in construing the plan participant’s will as inadequate to effect a change in beneficiary
- *Barinova v. ING*, 363 Fed.Appx. 910 (3rd Cir. 2010) – Summary judgment in favor of insurer upheld on the basis that the plan participant was not actively at work at the time of her disability
- *Elizabeth v. Can. Life Assur. Co.*, 2002 U.S. App. LEXIS 7436 (9th Cir. April 22, 2002) – Affirming the dismissal of plaintiff’s request for leave to add claims for bad faith, holding that such claim was preempted by ERISA
- *Concordia College Corp. v. W.R. Grace Co.*, 999 F.2d 326 (8th Cir. 1993) – Summary judgment in favor of defendants affirmed based upon running of the Minnesota statute of repose

Recognitions and Honors

- Silver Beaver Award, Boy Scouts of America, 2013
- Mentor of the Year, Page Education Foundation, 2010
- Pro Bono Publico Award, Hennepin County Bar Association, 2001

Publications and Presentations

- Co-author, “What Minnesota’s Revised Suicide Exclusions Statute Means for Insurers,” ALM ThinkAdvisor, October 10, 2023
- Speaker, “Humanizing the Insurance Company in Bad Faith Actions,” ALFA International (2023)
- Speaker, “Defending Bad Faith Claims,” Defense Research Institute, 2023
- Speaker, “Claim File and Decision Letters,” (Client Venue), 2016
- Speaker, “Anatomy of the Administrative Claim File,” Defense Research Institute, April 2016
- Speaker, “Fraud: Implications in Discovery, Mediation and Trial,” (Client Venue), March 2016
- Speaker, “Psychosocial Function of Claims Management,” (Client Venue), March 2016
- “The 8th Circuit Upholds the Obligation of an Applicant to Provide Evidence of Insurability for Supplemental Coverage,” (Client Venue), 2016
- Speaker, “Life and Disability Fraud,” (Client Venue), September 2015
- Speaker, “Fraud and Lessons Learned in Litigation,” (Client Venue), August 2015
- Contributor, Misrepresentation in the Life, Health, and Disability Insurance Application Process: A National Survey, ABA, 2015
- Author, “False Statements Made to Disability Claims Administrators,” Defense Research Institute Life, Health & Disability, June 2015
- Speaker, “Competing Life Insurance Beneficiaries,” (Client Venue), February 2015
- Speaker, “ERISA Benefits,” (Client Venue), January 2015
- Author, “Ebola Virus Quarantine,” (Client Venue), November 2014
- Speaker, “Evaluating Longer Term LTD Claims,” (Client Venue), October 2014
- Speaker, “ERISA Plan Claims,” (Client Venue), September 2014
- Speaker, “Disability Benefits: Full, Fair and Accurate Claim Review,” (Client Venue), August 2014
- Contributor, “Misrepresentation in the Life, Health, and Disability Insurance Application Process: A National Survey,” ABA Life, Health & Disability, (Client Venue), February 2014
- Moderator, “Managing Unconventional Long Term Disability Claims,” Defense Research Institute webcast, 2014
- Panel member, Federal Bar Association, Kyrgyzstan Judge’s Delegation, 2013
- Speaker, Claims Professional Conference, 2013
- “Court Decisions Interpreting Objective-Proof-of-Disability Requirements in ERISA-Governed Disability Plans,” ALFA Newsletter, 2013
- Co-Program Chair, ALFA Insurance Practice Group Roundtable, 2013
- Speaker, Eastern Claims Conference, 2013
- Speaker, Claims Professional Webinar, 2013

Professional Associations

- Federal Bar Association
- Hennepin County Bar Association
- Minnesota State Bar Association
- Wisconsin State Bar Association
- Iowa State Bar Association
- American Law Firm Association (ALFA)

Community Engagement

- Pro bono counsel for asylum applicants, Advocates for Human Rights, 2017-present
- Reading volunteer, Minneapolis Schools (Bethune School; now Las Estrellas), 2000-present
- Mentor, University of St. Thomas Law School Mentor Program, 2014-present
- Mentor, Page Education Foundation, 2009-present
- Eagle Scout advisor, Scouts of America, 2003-present
- Coach, Minnesota Youth Ski League, 2019-present