

Summary Judgment Motions Defeated on Negligence and Misrepresentation Claims Against Financial Advisor

We represent a small business and its owners who fell victim to negligent and fraudulent financial tax advice regarding a defined benefit plan. The Plaintiffs suffered substantial losses, including 1.8 million in back taxes and penalties by the IRS. We brought claims for negligence, negligent misrepresentation, breach of fiduciary duty, and constructive fraud. The defendants filed two motions for summary judgment, the first attempting to dismiss Plaintiffs' claims as preempted by the federal ERISA statute, and the second attempting to dismiss one of the individual defendants. Plaintiffs prevailed on both motions and the case will now proceed to trial.

For more information, please contact Jeremy Littlefield and Kimberly Anderson