

Robert J. D'Anniballe, Jr.
Partner

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ROBERT J. D'ANNIBALLE, JR. is a partner of Pietragallo Gordon Alfano Bosick & Raspanti, LLP. He is an active member of the Litigation, Employment & Labor, Professional Liability, and Cyber Liability & Technology Law Practice Groups.

Mr. D'Anniballe is a seasoned commercial litigator. He has successfully handled many commercial litigation matters, labor, employment and related benefit matters, workers' compensation matters, professional liability matters as well as complex white collar crime matters. Currently, a significant portion of his time is spent on consulting PLAN sponsors in regard to compliance with their ERISA fiduciary obligations.

Mr. D'Anniballe's practice focuses on corporate, complex commercial, financial, and professional liability matters. He has a national practice representing actuaries and other employee benefit professionals.

Matters representative of Mr. D'Anniballe's relevant legal experience include:

ERISA:

- Served on pension investment committee and also pension retirement committee for a pension plan in excess of \$600 million;
- Responsibility for investment decisions, handled numerous pension, health and welfare benefit disputes, plan vendor management, benefit freeze amendments and PBGC plan termination;
- Successfully handled litigation of benefit claim matters under various qualified benefit plans;
- Former general counsel (20 years) for employee-owners of a former Fortune 400 company (the largest ESOP in the country at that time);
- Successfully handled matters throughout the country, and in the United Kingdom, involving actuarial issues, Taft Hartley plans, corporate plans and public plans;
- Serves as national counsel for defined benefit design coordinators concerning allegations of fraud and improper design;
- Successfully handled tax court matters; and
- Achieved a PPC (Professional Plan Consultant) designation.

LABOR & EMPLOYMENT:

- Successfully handled to resolution dozens of NLRB charges, employment discrimination complaints, OSHA and other employment, safety and health issues;
- Successfully negotiated dozens of labor agreements with attendant pension, health and welfare matters in the private and public sector;



PRACTICE AREAS

Commercial Litigation
ERISA and Employment Compliance
Employment & Labor
Professional Liability

PUBLICATIONS

Firm Newsletter, Summer 2016
Construction Legal Edge Winter Newsletter 2015
Recent Lessons for ERISA 401(k) Plan Fiduciaries from Tussey v. ABB, Inc.
NLRB: Sexually Charged Comments Did Not Justify Firing
Firm Newsletter, Fall 2009

BAR ADMISSIONS

Ohio
West Virginia
U.S. Supreme Court
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. District Court - Northern District of West Virginia
U.S. District Court - Southern District of West Virginia

- Successfully handled hundreds of disputes and grievances through alternative dispute resolution processes, including mediation, arbitration, and Federal Special Master proceedings;
- Handled numerous judicial enforcement and appeals of arbitration decisions, and
- Litigated numerous employment-related matters in State and Federal Courts, including employment discrimination, retaliatory discharge, etc.

WORKERS COMPENSATION:

- Successfully handled numerous workers' compensation matters before administrative agencies and various courts throughout Ohio and West Virginia.

DIRECTORS AND OFFICERS:

- Served as a member of the Board of Directors of a publicly-traded NYSE and employee-owned company;
- Served as a member of the Auditing Committee for 15 years and chaired the Corporate Responsibility Committee for 3 years; and
- Significant experience in corporate governance, D&O, financial disclosure, and other related matters.

COMPLEX HIGH EXPOSURE SUCCESSES:

For the past 10 years, Mr. D'Anniballe has served as national coordinating counsel for a number of clients in actuarial and benefit design and administration, and professional liability matters. These cases have involved upwards of \$100 million in claimed damages. The following are some examples of his successes in those matters:

- Obtained dismissals in two multi-district litigation panel cases pending in the United States District Court, Northern District of Texas (Dallas Division);
- Obtained dismissal in New York trial court and preserving the same on appeal;
- Obtained dismissal in a case previously pending in the United States District Court, Southern District of Nevada; and
- Obtained dismissal in a case previously pending in the Superior Court of the State of California, County of Orange – Central Justice Center.
- Obtained summary judgment in a case pending in the Superior Court of the State of California, County of San Diego.

Speaking Engagements

"The New Fiduciary Rules: Practical Steps for the Employer,"
Pittsburgh, PA, November 3, 2016

U.S. District Court - Northern District of Ohio

U.S. District Court - Southern District of Ohio

U.S. Tax Court

EDUCATION

J.D., The University of Akron, School of Law

B.S., *magna cum laude*, The College of Steubenville