



Theodore P. Stein
Principal, Bethesda Office

PRACTICE AREAS

- Labor And Employment Law
- Estate and Trust Litigation
- ERISA
- Litigation
- Fiduciary Defense

EDUCATION & ADMISSIONS

- J.D., Catholic University, Comment Editor, Law Review
- B.A., University of Michigan, Honors, High Distinction
- Maryland
- District of Columbia

ACTIVITIES

- General Counsel – Garden of Remembrance Memorial Park, Clarksburg MD
- Contributing Author - ABA Employee Benefits Law Supplements
- Member - Washington, D.C. Estate Planning Council
- Legal Blog, Ted's Tips

AWARDS



Selected Continuously for 20 years as AV Preeminent Top Rated Lawyer By Martindale-Hubbell*

*Highest Possible Rating in Both Legal Ability & Ethical Standards Reflecting the Confidential Opinions of the Bar and Judiciary. A unique designation of excellence.

PRACTICE FOCUS

Theodore P. Stein is an employment and ERISA law and litigation attorney with 35 years of experience. His practice primarily concentrates on representing private and non-profit employers who are targets of overtime and minimum wage litigation and sexual harassment and discrimination claims and in the enforcement of non-compete, non-solicitation and trade secret and confidentiality restrictions. As Chair of the ERISA/Employee Benefits Law and Litigation Practice, he represents corporate and non-profit pension and health care plan sponsors on issues of compliance with Department of Labor and Internal Revenue Service regulations and defending plan sponsors in litigation against breach of fiduciary duty and other claims arising under ERISA, the federal Employee Retirement Income Security Act. Mr. Stein has worked with corporations and organizations with 50 to 500 employees principally in Maryland, D.C. and Virginia. Because ERISA is a federal statute, he accepts ERISA cases nationwide.

In the arena of employment law, Mr. Stein has drafted and enforced employment agreements and non-compete restrictions, position statements for employers on discrimination charges before the EEOC, and state and local Offices of Human Rights, drafted contracts with third-party administrators, investment advisors and insurance bonding companies, and drafted personnel policies regarding use of social media, commitment to equal opportunity, and cybersecurity. In the ERISA sphere, he has drafted plan documents and Summary Plan Descriptions, amendments, and guided employers through correction plans when errors occur in plan administration. He has represented plan sponsors in audits and investigations by the Department of Labor and the Internal Revenue Service.

Mr. Stein counsels and litigates for clients on: employee handbooks, overtime and minimum wage, discrimination, harassment, non-compete and non-solicitation agreements, trade secrets and confidentiality requirements, COBRA, and HIPAA.

Litigation and Counseling: Estates and Trusts, Business Litigation and Creditors Rights

In his 35 years of law practice, clients have sought Mr. Stein out for advice, counseling and in-court representation of estates and trusts in administration matters, including preparation and filing of inventories, information reports and accounts, as well as defense of creditor and beneficiary claims. Mr. Stein regularly is called upon as a successor personal representative to administer estates where there are significant conflicts. He has represented clients in will contest disputes involving allegations of undue influence and in cases where an individual has claimed status as a surviving spouse. Mr. Stein also has been called upon, both by private parties and courts, to serve as guardian or counsel to the guardian of a disabled adult.

Mr. Stein also has represented parties in complicated shareholder and owner disputes that have landed in federal and state courts. He is known not only as an able advocate but a seasoned mediator who is experienced in seeking a resolution of disputes in advance of trial through summary judgment proceedings and negotiated settlements.

In his extensive law career, Mr. Stein also has demonstrated effective strategies for helping his clients recover unpaid debts in state and federal court, including bankruptcy court. He is adept at using prejudgment attachment and garnishment techniques to maximize creditors' chances for collecting their debts.

Education Honors and Recognition

Mr. Stein's background shows a commitment to excellence: After achieving Honors with High Distinction at the University of Michigan, where he completed his B.A. degree, he ranked third in his class at The Catholic University Law School. There he served as Comment Editor of the Law Review before graduating with a Juris Doctor Degree.

Today, he writes a legal blog, Ted's Tips, on cutting edge topics of interest to benefit plan administrators, plan sponsors, trustees, and plan advisors. His blog posts also discuss key areas of interest to executors of estates and trusts in Maryland, D.C. and Virginia, and in the employment law arena to employers in all three jurisdictions.

With his vast litigation and mediation experience, Mr. Stein has won recognition from clients and peers alike. He is a former member of two leading regional firms, and has earned Martindale-Hubbell's coveted AV Preeminent and highest numerical ratings. His reputation as an accomplished advisor, negotiator, and trial attorney makes him an ideal match for one of the region's most trusted and dynamic law firms.

RECENT U.S. DISTRICT COURT DECISIONS

- *Damiano v. Institute for In Vitro Sciences, et al.*, 294 F.Supp.3d 439, 2018 WL 1301027 (D. Md.)(March 13, 2018)
(Dismissing employee's complaint against employer alleging breach of fiduciary duty under ERISA)

PUBLICATIONS

- PMA Bulletin, *How To Avoid Sexual Harassment Claims*, February 2018 Edition
- *Ted's Tips*: Blog posts that highlight recent developments in employment and employee benefits law and litigation, including recent court decisions on topics such as federal ADA requirements for accessibility to business websites, new rules for financial advisors and pitfalls of personality testing of employment applicants.

SPEAKING ENGAGEMENTS

- Bootcamp for Business Owners presented by Merrill Lynch Wealth Management (July 2019)
- Retirement Plan Governance and Fiduciary Duties: The New Frontier (Nov. 2018)
- Sexual Harassment Prevention & Remediation Workshop (Mar. 2018)
- Anti-Sexual Harassment Seminars at Quadrangle Management (Jan. 2018)
- Anti-Sexual Harassment Webinars (Dec. 2017 & Jan. 2018)
- Anti-Discrimination and Anti-Harassment Seminars at REGENXBIO, Inc. (Oct. 2017)

"My goal is to get and keep employers, and their qualified plans, out of trouble as promptly and efficiently as possible."

– Theodore P. Stein