

# News Release



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## **U.S. Labor Department Sues to Recover Funds for Middle Tennessee Union's Health Plan**

**ATLANTA** - The U.S. Department of Labor has sued Joseph David Hodgkin and the Labor Benefit Trust to recover more than \$9,000 for a Nashville area Teamsters health benefits plan.

"Health plan trustees have a responsibility to ensure that the assets of the plan are used solely to benefit participants," said Howard Marsh, director of the Atlanta regional office of the department's Employee Benefits Security Administration (EBSA), which investigated the case.

The suit alleges that defendant Hodgkin violated the Employee Retirement Income Security Act (ERISA) by engaging in a prohibited transaction when he approved payment of more than \$9,000 from the plan to former benefits consultant Ronnie Crow. The payments were allegedly made to cover Crow's expenses in a separate legal matter, which, according to the department's suit, are impermissible expenses under ERISA.

Filed in U.S. District Court in Nashville, the suit asks the court to require Hodgkin to restore all losses to the plan, with interest, and to permanently bar him from serving as a fiduciary for any plan covered by ERISA.

The Labor Benefit Trust was established by Local 327 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as the "Middle Tennessee Teamsters Trust Fund" in 1992. The name of the plan was changed in 2001.

The suit followed an investigation by EBSA's Atlanta regional office. Employers and workers can contact the regional office at (404) 562-2156 or EBSA's toll-free number, **1-866-444-EBSA (3272)**, for help with problems relating to private-sector pension and health plans. In fiscal year 2004, EBSA achieved record monetary results of \$3.1 billion related to the pension, 401(k), health and other benefits of millions of American workers and their families.

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(Chao v. David Hodgkin and the Labor Benefit Trust)  
Civil Action No. 3-05-0806

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