

DL LAW GROUP

CONSUMER REPRESENTATION

345 Franklin Street, San Francisco, CA 94102

Tel: (415) 678-5050 • Fax: (415) 358-8484

WWW.DLLAWGROUP.COM

DAVID M. LILIENSTEIN, ESQ
ALICE J. WOLFSON, ESQ., *Of Counsel*
KATIE SPIELMAN, ESQ

david@dllawgroup.com.
alice@dllawgroup.com.
katie@dllawgroup.com.

October 27, 2017

Office of Regulations and Interpretations,
Employee Benefits Security Administration
Room M-5655
U.S. Dept. of Labor
200 Constitution Avenue NW
Washington D.C. 20210

VIA E-MAIL: *e-ORI@dol.gov*

**Re: Claims Procedure Regulations for
(ERISA) Plans Providing Disability Benefits Examination
RIN No.: 1210-AB39
Regulation: 29 C.F.R. §2560.503-1**

Dear Deputy Assistant Secretary Hauser,

I am a proud practitioner of ERISA law, and have been for almost two decades. I have both witnessed and participated in the evolution of ERISA law over the years. During the past decade my law firm has handled literally hundreds of benefit claims, at all levels of administrative review, and has reviewed an even larger number of benefit plans. No matter what the stage of the review process, ERISA's governing regulations play a crucial role. The same is true when litigation is required to vindicate an employees' rights.

It is for this reason that I respectfully request that the Secretary of Labor not delay the effective date of the final ERISA claims regulations adopted on December 19, 2016. Delay serves no purpose and only acts to frustrate the purposes of ERISA, which we should all remember is meant to protect, not defeat, claims for employee benefits. Moreover, the regulations at issue were the product of a long, deliberative process. All parties had the opportunity to be heard, and any further delays in implementation would be disingenuous to this rulemaking process.

Having litigated against many of the entities that now seek to undermine this deliberative rulemaking process, and being witness to delaying tactics on what seems like a daily basis, I can confidently say that it is in the interests of the United States of America, and its many workers in so many different areas, for these new regulations to be implemented in the timely fashion as originally contemplated.

If you would like any more input from me or my colleagues, we would be more than happy to discuss this with you.

Sincerely,

A rectangular box containing a handwritten signature in black ink. The signature is stylized, starting with a large 'D' and ending with a long horizontal stroke.

David M. Lilienstein
Owner, DL Law Group