



## Richard (Rick) N. Bien

### Partner

Kansas City

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**Rick Bien's litigation practice involves defense of class action claims and other claims for financial services companies; employee benefit plans; life, health and disability insurance defense; Employee Retirement Income Security Act of 1974 (ERISA); employee stock ownership plans (ESOPs); trust company and financial litigation; insurance professional liability litigation and insurance coverage litigation.**

Rick has been in the forefront of ERISA and employee benefit litigation. He was lead counsel in the leading case concerning preemption of state "penalty" statutes. Additionally, he has handled hundreds of litigated matters defending claims handling activities by insurers, plan administrators and other ERISA and non-ERISA regulated fiduciaries. His practice includes frequent representation of health insurers, health plan fiduciaries and health plan third-party administrators (TPAs) in provider disputes, provider contract disputes and plan participant claim litigation as well as anti-trust litigation. Further, he represents plans and plan service providers in Department of Labor investigations.

Rick has defended dozens of class action matters involving benefit plans, ERISA, financial services, consumer protection claims, claims involving collective investment trusts, individual retirement account (IRA) administration and trustee services, and ESOP litigation along with Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA), privacy, warranty claims, merchandising practices, insurance sales practices and lending practices.

## Areas of Focus

### Services

[Insurance Recovery & Counseling](#)

[Litigation](#)

[Class Action Defense](#)

[eDiscovery: Data, Records & Information Governance](#)

[Antitrust & Trade Regulation](#)

[ERISA, Life, Health & Disability Litigation](#)

[General Business & Complex Commercial Litigation](#)

### Sectors

[Health Care Litigation](#)

[Nonprofit & Tax-Exempt Organizations](#)

## Credentials

### Education

- University of Missouri-Columbia School of Law, J.D., 1983
- University of Missouri - Columbia, B.S.P.A., 1979

### Bar Admissions

- Missouri

### Court Admissions

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri

### Recognition

- Selected among *The Best Lawyers in America*®, 2007-2025
  - "Lawyer of the Year," 2017, 2021
- Named as *Super Lawyer*, Super Lawyers Corporate Counsel Edition, (2018 and multiple years)
- Selected for Missouri/Kansas *Super Lawyers*, 2005-2018
- Selected by peers, Best of the Bar, *Kansas City Business Journal* (2018 and multiple years)
- *Who's Who in American Law*
- American Jurisprudence Award in Torts
- Thomas E. Deacy Award in Trial Advocacy
- University of Missouri School of Law – Distinguished Recent Graduate

- Martindale-Hubbell® “AV Preeminent” and “AV Preeminent – Judicial Edition” Rating
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## Presentations

- Speaker, ACI’s National Forum on ERISA Litigation – *Equitable Remedies under (a)(3)* – September 2016, March 2017
  - Speaker, ACI’s Employee Benefit Plans *Claims Against Fiduciaries Excessive Fee Claims*, November 2015, March 2016
  - Speaker, ACI’s National Forum on Litigating Disability Insurance Claims, *FCEs and IMES*, January 2013, January 2014
  - Speaker, DRI’s Life, Health and Disability/ERISA Conference, *Investigation, IMEs and FCEs*, April 2014
  - Moderator, *Procedure Matters: The New AAA Arbitration Rules and Proposed Changes to the FRCP*, Lathrop Gage’s State of Litigation, June 2014
  - Moderator, Lathrop Gage’s State of Litigation, June 2013
  - Speaker, ACI’s Life Insurance and AD&D Claims Litigation, July 2013, July 2012
  - Speaker, Strafford teleconference/webinar, “ERISA Benefits Claims After *Metlife v. Glenn*,” December 3, 2009
  - Webcast: DRI – Extra-Record Discovery Requests Post-Glenn
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## Professional Activities

- American Bar Association
  - Governing Council, Center for Innovation, 2018 – 2021
  - Commission on Issues Affecting Women in the Profession, 2014-present
  - House of Delegates, 2006-2014, 2016-2017
  - Judicial Division, Chair, 2003-2004; Lawyers’ Conference, Chair, 2000-2001
  - Young Lawyers Division, Assembly Speaker
- Missouri Supreme Court Commission on Racial and Ethnic Fairness, Practice of Law Committee – 2015-present
- Missouri Interest on Lawyers Trust Account Foundation Board (IOLTA) – Board, 2005; President, 2008
- DRI, Life, Health and Disability/ERISA Committee Member
- Missouri Bar Board of Governors, 1996-2004; Executive Committee, Finance Committee
- Lawyers Association of Kansas City, Director, 1993-1997, 2008-2012; past president, Young Lawyers’ Section

## Community Involvement

- Make-A-Wish of Missouri Foundation, State Foundation Board, 2012-present; Kansas City Regional Board, 2010-present; President, 2012-2015
- Blue Valley Recreation Commission, Chairman, 1999-2000; Commissioner, 1996-2004