



Daniel J. Schwartz

Of Counsel

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Dan Schwartz advises clients on all facets of employee benefits. He has significant experience drafting and implementing defined benefit plans, defined contribution plans, deferred compensation plans, ESOPs, health and welfare programs and executive compensation programs. He has also served as primary counsel in a number of ERISA lawsuits. In 2017, he represented Advocate Health Care Network in a landmark ERISA case before the U.S. Supreme Court.

He has written and lectured on topics in the benefits field including ESOPs, the exclusive benefit rule and employee welfare benefit plans and church plans. He is the author of the BNA Tax Management Portfolio *Employee Benefits for Tax-Exempt Organizations* which has been in continuous print for over 20 years. Dan also authored a chapter in *Fundamentals of Health Law*, Eighth Edition, published by the American Health Lawyers Association.

Dan is a former member of the U.S. Department of Treasury's IRS Advisory Committee on Tax Exempt and Government Entities. The committee includes stakeholders in the areas of tax-exempt organizations, employee retirement plans, tax-exempt bonds and federal, state, local and Indian tribal governments.

Dan has practiced primarily in the employee benefits area since 1977.

Education

- University of Missouri-Kansas City (J.D., 1977)
 - Missouri Law Review
- University of Missouri - Columbia (A.B., 1974)
 - Phi Beta Kappa

Bar Admissions

- Missouri

Professional Affiliations

- American Bar Association (*Section of Labor & Employment Law, Employee Benefits*;

Practices & Industries

- Tax-Exempt Organizations
- Audits & Investigations
- Employee Benefits
- Employee Stock Ownership Plans (ESOPs)
- Health & Welfare Plans
- Plan Liabilities & Pitfalls
- Plan Termination & De-Risking
- Qualified Plans
- Health Care
- Private Wealth Services
- Employee Benefits / ERISA
- Employee Benefits & ERISA Litigation
- Health Care & Regulated Industries
- Educational, Religious & Tax-Exempt Organizations

Section of Taxation, Employee Benefits Committee)

- Bar Association of Metropolitan St. Louis (*Employee Benefits Section*)
- The Missouri Bar (*Tax Law Committee*)

Community Involvement

- Congregation Temple Israel

Awards & Honors

- Named to *The Best Lawyers in America*®, Employee Benefits (ERISA) Law (2007-2026); Litigation - ERISA (2011-2026)
- Named *Best Lawyers*® Litigation - ERISA "Lawyer of the Year" in the St. Louis area (2016, 2019, 2021); Employee Benefits (ERISA) Law "Lawyer of the Year" in the St. Louis area (2013, 2024)
- Named to the Missouri & Kansas Super Lawyers list, Employee Benefits/ERISA, (2008-2017)
- American College of Employee Benefits Counsel (Charter Fellow)

Experience

- Represented Advocate Health Care Network before the U.S. Supreme Court in *Advocate Health Care Network et al. v. Stapleton et al.*, a high-profile case involving the interpretation of ERISA's "church plan" definition. The case resulted in a unanimous June 5, 2017, decision in favor of Advocate and two other religiously affiliated hospitals.
- Designed and implemented ESOP transactions for major national construction companies.
- Designed and implemented deferred compensation for a large health care entity.
- Designed and implemented defined benefit plan for major publicly traded company.
- *Geissal v. Moore Medical, et al.* 158 F.Supp.2d 976, 2001 WL 930017, 25 EBC 2584 (E.D. Mo. 2001) Case claiming relief under COBRA.
- *Geissal v. Moore Medical, et al.* 192 FRD 620, 2000 WL 430172 (E.D. Mo. 2000) Case claiming attorney/client privilege.
- *Geissal v. Moore Medical, et al.* 2000 WL 374604 (E.D. Mo. 2000) Disqualification claim.
- *Maniace v. Juvenile Shoe* 40 F.3d 264, 1994 WL 613151, 18 EBC 2585 (8th Cir. 1994) Breach of fiduciary duty under ERISA.
- *Alberici v. Davis*, 2005 U.S. District Lexis 31275, 2005 WL 3307299, (E.D. Mo. 2005). Case disqualifying QDRO.
- *Geissal v. Moore Medical, et al.* 338 F.3d 926, 30 EBC 2692 (8th Cir. 2003). Case claiming relief under COBRA.
- *Alberici vs. Davis*, 2006 U.S. App. Lexis 17082, 2006 WL 1841210 (8th Cir. 2006). Eighth Circuit affirms district court order disqualifying QDRO.

News & Media

August 21, 2025

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2026 List

August 15, 2024

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2025 List

August 17, 2023

Best Lawyers 2024 Edition Lists 66 Greensfelder Attorneys, Including Five “Lawyers Of The Year”

August 18, 2022

Best Lawyers 2023 Edition Lists Over 60 Greensfelder Attorneys, Including Five St. Louis ‘Lawyers Of The Year’

August 19, 2021

Best Lawyers 2022 Edition Lists 60 Greensfelder Attorneys, Including Three St. Louis ‘Lawyers Of The Year’