
ERISA's Fiduciary Duty Includes Continuing Duty to Monitor Trust Investments

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On May 18, 2015, in *Tibble v. Edison International*, the Supreme Court of the United States held that a fiduciary's duty under the Employee Retirement Income Security Act of 1974 ("ERISA") includes a continuing obligation to monitor trust investments and remove imprudent investments. In so ruling, the Court held that a plaintiff may timely allege a breach of fiduciary duty for investments originally made outside ERISA's six-year statute of limitations, provided the breach of the continuing duty to monitor occurred within six years of the lawsuit.

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