

13-1010 M&G POLYMERS USA V. TACKETT

DECISION BELOW: 733 F.3d 589

LOWER COURT CASE NUMBER: 12-3329, 12-3407

QUESTION PRESENTED:

1. Whether, when construing collective bargaining agreements in Labor Management Relations Act (LMRA) cases, courts should presume that silence concerning the duration of retiree health-care benefits means the parties intended those benefits to vest (and therefore continue indefinitely), as the Sixth Circuit holds; or should require a clear statement that health-care benefits are intended to survive the termination of the collective bargaining agreement, as the Third Circuit holds; or should require at least some language in the agreement that can reasonably support an interpretation that health-care benefits should continue indefinitely, as the Second and Seventh Circuits hold.

2. Whether, as the Sixth Circuit has held in conflict with the Second, Third, and Seventh Circuits, different rules of construction should apply when determining whether health-care benefits have vested in pure ERISA plans versus collectively bargained plans.

LIMITED TO QUESTION 1 PRESENTED BY THE PETITION.

CERT. GRANTED 5/5/2014