Mark M. Trapp

Senior Counsel

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Chicago, Illinois



Mark M. Trapp is a Senior Counsel in Conn Maciel Carey's Chicago office. He practices law with a concentration in labor and employment.

Mark advises employers on multiemployer pension withdrawal liability issues and arbitrates and litigates withdrawal liability matters against pension funds around the country. He also provides counsel on labor relations and collective bargaining, handles grievances and arbitration proceedings, and defends employers in a broad range of NLRB litigation and matters arising under the ADA, ADEA, Title VII and state anti-discrimination laws.

Representative Cases

- *Perfection Bakeries Inc. v. Retail Wholesale and Dept. Store Int'l Union and Industry Pension Fund*, 147 F.4th 1314 (11th Cir. 2025) (withdrawal liability decision holding, over vigorous dissent, that the prior partial credit set out in 29 U.S.C. 1386(b)(1) applies as part of the second adjustment to the allocable amount of unfunded vested benefits in 29 U.S.C. 1381(b)(1)(B)).
- *Consumers Concrete Corp. v. Central States, Southeast and Southwest Areas Pension Fund*, 780 F. Supp. 3d 754 (N.D. Ill. 2025) (granting employer's motion to vacate withdrawal liability arbitration award and holding that the prior partial credit set out in 29 U.S.C. 1386(b)(1) must be applied after the four adjustments in 29 U.S.C. 1381(b)(1)(A)-(D)).
- *Bulk Transport Corp. v. Teamsters Union No. 142 Pension Fund*, 96 F.4th 1027 (7th Cir. 2024) (refunding all monies paid and reversing district court decision affirming arbitration award compelling company to pay multiemployer pension withdrawal liability, holding that parties' course of conduct cannot amend a collective bargaining agreement to require pension contributions not specified in a written agreement).
- *Nance v. NBC Universal Media LLC*, 2019 U.S. Dist. LEXIS 125621 (N.D. Ill. July 29, 2019) (granting employer's motion for summary judgment over all claims, including Equal Pay Act, hostile environment, sex discrimination, age discrimination and retaliation).
- *Scherr v. Marriott International, Inc.*, 703 F.3d 1069 (7th Cir. 2013) (affirming dismissal of Title III ADA claims against hotel involving the 2010 ADA Standards for door closures).
- *Ring v. Sports Authority, Inc.*, 2006 U.S. Dist. LEXIS 2884 (D.S.C. Jan. 10, 2006) (adopting report and recommendation of magistrate judge to grant employer's motion for summary judgment over claims alleging breach of contract and fraud).

- *Belton v. Cincinnati Insurance Co.*, 360 S.C. 575 (S.C. 2004) (granting summary judgment for insurer based on plaintiff's lack of insurable interest in property).

Recognitions & Awards

- Ranked "Super Lawyer", Super Lawyers® (2020 – Present)

Speaking Engagements

Mark regularly speaks to audiences about a broad range of workplace safety issues. Recent invitations have included the following organizations and events:

- U.S. Chambers of Commerce Contributing Employer Summit
- Three Rivers Manufacturers' Association (TRMA) Labor & Employment Law Update

Mark frequently presents on a variety of topics for the firm's Labor & Employment Webinar Series.

Publications

- "Responding to an Assessment of Withdrawal Liability from a Multiemployer Pension Plan," Thomson Reuters Practice Note, August 2025.
- "My Fault? Your Fault? Default! – Withdrawal Liability and the 'Pay Now, Fight Later' Regime Under the MPPAA," Bloomberg BNA Pension & Benefits Daily, 2015.
- "The ACA Still Has Its Day in Court, Now Over Subsidies," Law360, July 8, 2014.
- "Money for Nothing – AAA Filing Fees in Multiemployer Pension Withdrawal Liability Arbitrations Leave Employers in Dire Straits," Bloomberg BNA Pension & Benefits Daily, 2014.
- "What to Know About ACA Collective Bargaining," Law360, April 30, 2013.
- "Going Through Withdrawal: A Step-by-Step Guide to Arbitration in Multiemployer Withdrawal Liability Disputes," ABA Journal of Labor & Employment Law, Vol. 29, Number 1, Fall 2013.
- "Avoiding Rookie Mistakes in Multiemployer Pension Withdrawal Liability Disputes," Bloomberg BNA Pension & Benefits Daily, 2013.
- "National Labor Relations Board Sets New Standard That Will Make It Easier for Unions to Organize Nursing Homes and Other Non-Acute Health Care Facilities," BNA's Health Law Reporter, September 22, 2011
- "Beware of the Newly Enacted Illinois Employee Credit Privacy Act," Bloomberg Law Reports, October 11, 2010.

Affiliations

- Illinois State Bar Association
- South Carolina Bar Association
- North Carolina Bar Association
- Chicago Bar Association

Education

- Washington and Lee University, J.D., 2000
- University of Illinois, A.B., 1996

Admissions

- District of Columbia
- Illinois
- North Carolina
- South Carolina
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the District of Maryland
- U.S. District Court for the District of South Carolina
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of North Carolina
- U.S. District Court for the Middle District of North Carolina
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Northern Districts of Indiana
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Western District of North Carolina
- U.S. Supreme Court

Experience

- Advises and defends employers in arbitration and litigation of pension withdrawal liability disputes.
- Represents management in collective bargaining negotiations with labor unions around the country.
- Defends employers around the country in labor arbitrations brought under collective bargaining agreements.
- Represents employers before appellate courts in state and federal tribunals.
- Defends employers in discrimination claims before state and federal agencies and courts.
- Represents management in union elections and unfair labor practice charges before the National Labor Relations Board.
- Defends employers in litigation and audit disputes involving contributions to multiemployer pension plans under collective bargaining agreements.