
Hughes Hubbard & Reed

Hughes Hubbard Wins Survivor Benefits for Posthumously Conceived Twins

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Hughes Hubbard scored a major pro bono victory on April 23, 2012, when a Social Security Administrative Law Judge awarded survivors insurance benefits to twin sons conceived with the help of assisted reproductive technology after the death of their father at the age of 32 from brain cancer.

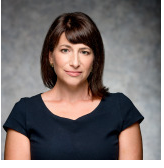
The decision is the latest victory in a series of cases in which Hughes Hubbard has obtained Social Security benefits for posthumously conceived children.

In 2004, the firm won a landmark case, *Gillett-Netting v. Barnhart*, before the Ninth Circuit Court of Appeals in which Hagit Elul argued as a fifth-year associate. The court held that children conceived after the death of their father using in vitro fertilization were entitled to survivor benefits. *Gillett-Netting* was the first federal appeal ever decided on that issue.

On May 21, 2012, the U.S. Supreme Court issued an opinion in *Astrue v. Capato* regarding the rights of posthumously conceived children under the Social Security Act. The Supreme Court's review included a discussion of the *Gillett-Netting* case.

In addition to Elul, Rebecca Sosa and Miles Orton represented the pro bono client.

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Hagit Muriel Elul



Miles Orton