

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

RICHARD P. SHULTZ,)
)
 Plaintiff,)
)
 v.)
)
 AETNA LIFE INSURANCE)
 COMPANY; and L-3)
 COMMUNICATIONS WELFARE)
 PLAN,)
)
 Defendants.)

CIVIL ACTION NO.
1:16cv94-MHT
(WO)

OPINION

Pursuant to the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. § 1001, et seq. plaintiff brought this lawsuit alleging a breach of fiduciary duty and a wrongful denial of benefits. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion to dismiss should be granted in part and denied in part. There are no objections to the recommendation. After an independent and de novo

review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 3rd day of October, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE