

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)

JUDGMENT

In accordance with the memorandum opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 57) is adopted.

(2) The defendants' motion to dismiss (doc. no. 17) is granted as to counts II and III of the first amended complaint, and denied as to the remaining claims.

(3) Counts II and III of the first amended complaint are dismissed with prejudice.

This case is not closed, and is referred back to
the Magistrate Judge for further proceedings.

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

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE