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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

PETER W. REVERE,
Plaintiff,
vs.
JEFFERSON PILOT FINANCIAL
INS. CO., nka THE LINCOLN
NATIONAL LIFE INS. CO., and
GROUP LONG TERM DISABILITY
INS. FOR EMPLOYEES OF WILSON
ELECTRIC SERVICES CORP. PLAN,
Defendants.

No. CIV 09-726-TUC-CKJ (JM)

ORDER

On November 24, 2010, Magistrate Judge Jacqueline J. Marshall issued a Report and Recommendation (Doc. 435) in which she recommended that Plaintiff’s Motion for Partial Summary Judgment (Doc. 22) be denied and that the parties be directed to file motions identifying the facts and law which support the application of their asserted standard of review. The magistrate judge advised the parties that written objections to the Report and Recommendation were to be filed within 14 days of service of a copy of the Report and Recommendation pursuant to 28 U.S.C. § 636(b). No objections have been filed.

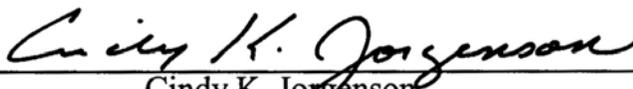
Accordingly, after an independent review, IT IS ORDERED:

1. The Report and Recommendation (Doc. 43) is ADOPTED.
2. Plaintiff’s Motion for Partial Summary Judgment (Doc. 22) is DENIED WITHOUT PREJUDICE.
3. The parties shall file simultaneous briefs regarding the standard of review, as discussed in the Report and Recommendation, on or before December 27, 2010. Any

1 responses shall be timely filed in conformance with applicable rules. NO REPLIES SHALL
2 BE FILED.

3 4. This case is referred back to Magistrate Judge Jacqueline Marshall for further
4 pretrial proceedings and report and recommendation in accordance with the provisions of 28
5 U. S. C. § 636(b)(1) and L.R.Civ.P. 72.1 and 72.2.

6 DATED this 1st day of December, 2010.

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10 Cindy K. Jorgenson
11 United States District Judge
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