

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

OLA B. HARE

PLAINTIFF

V.

4:09CV000883 JMM

**HARTFORD LIFE & ACCIDENT
INSURANCE COMPANY, ET AL.**

DEFENDANTS

ORDER

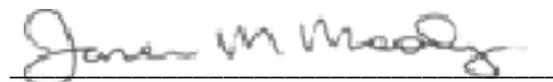
Pending is Plaintiff's Motion for Discovery. (Docket # 8). Plaintiff seeks reinstatement of long-term disability benefits under an employee welfare benefit plan governed by the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §1001 et seq.

Relying on *Metropolitan Life Ins. Co. v. Glenn*, ___ U.S. ___, 128 S.Ct 2343 (2008), Plaintiff contends that the Court should allow discovery in order to determine the appropriate standard of review to be applied to the case. Specifically, Plaintiff wants to take depositions and propound written discovery related to the basis for defendant Hartford's claim decision and to evaluate Hartford's claims handling process.

As previously stated by this Court, *Glenn* did not create special procedural or evidentiary rules applicable to this issue. See *Medina v. Hartford Life & Accident Insurance*, No. 4:09CV00834, (E.D. Ark. filed January 25, 2010). Accordingly, under existing Eighth Circuit law, Plaintiff's request under *Glenn* is inappropriate as she has not shown good cause for such discovery. See *Id.*; *Kendel v. Zurich American Ins. Co.*, 2009 WL 3063363 (E.D. Ark. Sept. 21, 2009) citing, *Menz v. Procter & Gamble Health Care Plan*, 520 F. 3d 865 (8th Cir. 2008); *Singleton v. Hartford Life & Accident Ins. Co.*, 2008 WL 3978680 (E.D. Ark. July 29, 2008).

Accordingly, Plaintiff's motion for discovery, docket #8, is denied.

IT IS SO ORDERED this 3 day of February, 2010.



James M. Moody
United States District Judge