

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

CAROLYN McFADDEN CURENTON,)	
)	
Plaintiff,)	
)	
v.)	Civ. Action No. 4:10-CV-1368 - SWW
)	
THE LINCOLN NATIONAL LIFE)	Electronically Filed
INSURANCE COMPANY and LITTLE)	
ROCK HOUSING AUTHORITY,)	
)	
Defendants.)	
)	

ORDER

The Plaintiff, Carolyn McFadden Curenton, and the Defendants, The Lincoln National Life Insurance Company (“Lincoln National”) and Little Rock Housing Authority (“LRHA”), jointly moved [doc. no. 8] this Court to remand the Plaintiff’s benefit claim under the Plan to Lincoln National, the Plan’s claim administrator, and to dismiss this action without prejudice in order to provide the parties with the opportunity to complete the administrative review of the Plaintiff’s initial claim for long term disability benefits as required under the terms of an employee welfare benefit plan (the “Plan”) sponsored by LRHA and group long term disability insurance policy no. 000010067261 (the “LTD Policy”) issued by Lincoln National to LRHA in order to fund benefits under the Plan.

Based on its review of the Joint Motion and the entire record in this cause, the Court finds sufficient cause to grant the parties’ Joint Motion and to remand the Plaintiff’s claim for

benefits under the Plan and the LTD Policy to Lincoln National and to dismiss this action without prejudice in order to provide the parties with the opportunity to complete the administrative review of the Plaintiff's claim for long term disability benefits. It is, therefore,

ORDERED, that the Plaintiff's claim for benefits under the Plan is remanded to Lincoln National, in its capacity as claim administrator of the Plan in order to provide the parties with the opportunity to complete the administrative review of the Plaintiff's claim for long term disability benefits as required under the term of the Plan and group long term disability insurance policy no. 000010067261 issued by Lincoln National to LRHA in order to fund benefits under the Plan.

It is further **ORDERED**, that this case shall be dismissed without prejudice to any and all issues before the Court.

Signed this 4th day of November, 2010.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE

Submitted for Approval:

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