

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

WILLIAM WELCH ESTATE,

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Plaintiff,

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vs.

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No. 5:09CV00354 SWW

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PRINCIPAL LIFE INSURANCE COMPANY
and THELMA NELSON,

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Defendants.

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Order

Because this case involves proceeds under an employee welfare plan subject to and governed by ERISA, the Court recently issued an ERISA Scheduling Order. It has come to the Court's attention, however, that the action does not involve interpretation of the plan or eligibility for benefits. Instead, the case involves questions as to whether alcohol was a contributing cause to the injury and whether seat belts were in use, and a determination of the proper beneficiaries.

The Court therefore rescinds the ERISA scheduling order issued on July 9, 2010.

DATED this 13th day of August, 2010.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE