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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

CHARLENE BROWN PLAINTIFF

VS. CASE NO. 07-CV-1039

LIFE INSURANCE COMPANY
OF NORTH AMERICA DEFENDANT

JUDGMENT

Before the Court is Plaintiff Charlene Brown's Complaint against Defendant Life Insurance Company of North America ("LINA") filed pursuant to the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 *et seq.* (Doc. No. 1). In her Complaint, Plaintiff alleges that LINA wrongfully denied her claim for accidental death benefits. Plaintiff filed an ERISA Brief on the Administrative Record. (Doc. No. 26). Defendant also filed an ERISA Brief on the Administrative Record. (Doc. No. 29).

After conducting a *de novo* review of the Administrative Record and the parties' Briefs, for reasons discussed in the Memorandum Opinion of even date, the Court finds that the death of Plaintiff's husband, John Calvin Brown, is not a covered loss under LINA's Group Accident Policy OK 82 06 05. Accordingly, Plaintiff Charlene Brown's claim against Defendant Life Insurance Company of North America should be and hereby is **dismissed** with prejudice.

IT IS SO ORDERED, this 28th of July, 2009.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge

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