IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS FAYETTEVILLE DIVISION

MARY LYNN BURCH

v.

No. 04-5308

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HARTFORD LIFE AND ACCIDENT INSURANCE CO.

<u>JUDGMEN</u>T

For reasons set forth in the Memorandum Opinion and Order (Doc. 10) filed on June 22, 2005, the Court finds that Plaintiff is entitled to a judgment against Defendant, Defendant's decision to deny benefits is REVERSED, and this case is remanded to the plan administrator for a benefits determination consistent with the Memorandum Opinion to include: Plaintiff is awarded prejudgment interest at a rate of 3.39% compounded annually from September 1, 2002 to June 22, 2005 and post-judgment interest on this Court's award of prejudgment interest. Further, Plaintiff is entitled to an award of attorneys' fees and costs. The parties have thirty days from entry of this judgment on the docket in which to appeal.

IT IS SO ORDERED this 12th day of January 2006.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge

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DEFENDANT

PLAINTIFF