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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JEANETTE HICKS,

Plaintiff,

v.

LIBERTY LIFE ASSURANCE COMPANY  
OF BOSTON, WELLS FARGO &  
COMPANY, et al.,

Defendants.

No. 2:14-CV-01088-KJM-KJN

CONSENT ORDER OF DISMISSAL

17 Plaintiff Jeanette Hicks (“Hicks”) filed her complaint in this matter for short-  
18 term disability (STD) benefits under the Employee Retirement Income Security Act of 1974  
19 (“ERISA”), 29 U.S.C. § 1001, *et. seq.* The parties have reported plaintiff’s claim for STD  
20 benefits has been fully and finally resolved pursuant to the terms of a confidential settlement  
21 agreement. ECF No. 18.

22 The court approves the parties’ stipulation and dismisses plaintiff’s complaint  
23 with prejudice and without fees and costs against defendants Wells Fargo and Liberty with  
24 respect to any and all claims for STD benefits under the STD Plan pursuant to the terms of a  
25 confidential settlement agreement. The court also dismisses without prejudice and without fees  
26 and costs with respect to any and all claims for long-term disability (LTD) benefits. The  
27 dismissal of plaintiff’s claims herein shall not have any res judicata, collateral estoppel or  
28 preclusive effect with respect to plaintiff’s LTD claim.

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This court in its discretion declines to maintain jurisdiction to enforce the terms of any agreement between the parties concerning the resolution of plaintiffs claim for STD benefits. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381 (1994); *cf. Collins v. Thompson*, 8 F.3d 657, 659 (9th Cir. 1993). Unless there is some independent basis for federal jurisdiction, enforcement of the agreement is for state courts. *Kokkonen*, 511 U.S. at 382.

IT IS SO ORDERED.

DATED: November 7, 2014.

  
UNITED STATES DISTRICT JUDGE