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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRENDA CULBERTSON-CHAVIRA,
Plaintiff,
vs.
LIFE INSURANCE COMPANY OF
NORTH AMERICA, COMMUNITY
MEMORIAL HEALTH SYSTEM
EMPLOYEE BENEFIT PLAN and DOES
1 THROUGH 10,
Defendants.

Case No.: 2:17-cv-01702-JAM-AC

**ORDER RE DISMISSAL WITH
PREJUDICE**

ORDER

Pursuant to the Joint Stipulation regarding Dismissal with Prejudice of Plaintiff Brenda Culbertson-Chavira (“Plaintiff”) and Defendant Life Insurance Company of North America (“LINA”), by and through their respective counsel, IT IS HEREBY ORDERED as follows:

- 1. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, this action hereby is dismissed in its entirety, as to all parties, and with prejudice;
- 2. Each party shall bear its own attorneys’ fees and costs; and
- 3. Pursuant to the Parties’ Stipulation, the dismissal with prejudice of the

1 above-entitled case shall not have any impact whatsoever on Plaintiff’s right
2 to disability benefits beyond the 24 month Regular Occupation period, after
3 which the Parties’ stipulation indicates the applicable Definition of
4 Disability changes, under group disability insurance policy LK-980212
5 (“Policy”), issued by LINA. Plaintiff’s right to ongoing disability benefits is
6 subject to the terms and conditions of the Policy. The dismissal with
7 prejudice of the above-entitled case shall not have any impact whatsoever on
8 Plaintiff’s right to bring a lawsuit, if necessary, against Defendant for
9 disability benefits under the Policy beyond the 24 month Regular
10 Occupation period.

11
12 **IT IS SO ORDERED.**

13
14 Dated: August 3, 2018

_____ /s/ John A. Mendez
United States District Court Judge