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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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SUSAN O'HARTZ,

No. CV-07-0415 MMC

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Plaintiff,

**JUDGMENT IN A CIVIL CASE**

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v.

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CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION INTER-INSURANCE  
BUREAU GROUP LONG TERM DISABILITY  
PLAN,

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Defendant.

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**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

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**IT IS SO ORDERED AND ADJUDGED** plaintiff's Motion for Summary Judgment is hereby GRANTED, and defendant's Motion for Summary Judgment is hereby DENIED as follows:

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1. Plaintiff's STD benefits shall be reinstated effective May 29, 2003, in accordance with the terms of the STD policy.

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2. Defendant shall evaluate plaintiff's claim for LTD benefits under the terms of the LTD policy.

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3. To the extent plaintiff seeks to recover attorney's fees under 29 U.S.C. § 1132(g), plaintiff shall file a separate motion pursuant to Civil L.R. 54-6.

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4. To the extent plaintiff seeks an award of prejudgment interest, plaintiff shall make and support such request in her motion for attorney's fees or by

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1 separate motion filed no later than the date on which her motion for attorneys fees is due.

2 5. Any bill of costs shall be filed in accordance with Civil L.R. 54-1.

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Dated: September 11, 2008

Richard W. Wieking, Clerk



By: Tracy Lucero  
Deputy Clerk