Each party shall bear its own costs and attorney fees in this action.

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Pursuant to local rules, this document is being electronically filed through the Court's 1 2 ECF System. In this regard, counsel for defendant hereby attests that (1) the content of this 3 document is acceptable to all persons required to sign the document; (2) plaintiff's counsel has concurred with the filing of this document; and (3) a record supporting this concurrence is 4 5 available for inspection or production if so ordered. SO STIPULATED. 6 RIMAC MARTIN 7 a Professional Corporation 8 DATED: January 30, 2009 By: /s/ Anna M. Martin 9 ANNA M. MARTIN Attorneys for Defendant UNUM LIFE INSURANCE COMPANY OF 10 **AMERICA** 11 12 LAW OFFICES OF JOHN F. MARTIN a Professional Corporation 13 DATED: January 30, 2009 /s/ Christine Hopkins By: CHRISTINE HOPKINS 14 Attorneys for Plaintiff 15 SHERI GARAY 16 17 18 **ORDER** 19 SO ORDERED. 20 21 DATED: 2/24/09 22 23 24 25 26 27 28