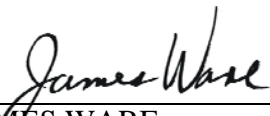


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In their Statement, the parties represent that there is no need for further discovery or trial in this matter, and request that the Case Management Conference be vacated. (Statement at 3-5.) In light of the parties' representations, the Court VACATES the Case Management Conference and orders as follows:

- (1) On or before **May 7, 2010**, Plaintiff shall file a brief Reply to the Plan Administrator's determination of benefits. Plaintiff's Reply shall not exceed fifteen pages in length.
- (2) Upon Plaintiff's filing of his Reply, the matter shall be deemed submitted for the Court's review.

Dated: April 27, 2010



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 James Gerald Mellen jgmellen@hotmail.com
3 Joseph E. Lambert josephlambert@cox.net
4 Michael W. Pott mpott@porterscott.com
5 Timothy J. Fricker tjfricker@gmail.com

6 **Dated: April 27, 2010**

Richard W. Wieking, Clerk

7
8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28