

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
LEWIS T. BABCOCK, JUDGE

Civil Case No. 04-cv-01619-LTB-BNB

TINA GARCIA,

Plaintiff,

v.

BERKSHIRE LIFE INSURANCE COMPANY OF AMERICA, a wholly owned Subsidiary of  
The Guardian Life Insurance Company of America, and  
THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA, a foreign Insurance  
Company,

Defendants.

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ORDER

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Plaintiff's Motion for Leave to File Surreply in Support of Plaintiff's Reply to  
Defendants' Motion for Award of Attorneys Fees and Motion for Setoff Against Disability  
Payments (Doc 392 - filed February 8, 2009) is DENIED.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, JUDGE

DATED: February 9, 2009