

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

**BARBARA ANN EBERSOLE, as legal guardian  
of Barbara Leigh Ebersole,**

**Plaintiff,**

**Case No. 2:10-cv-252-FtM-29SPC**

**NCH HEALTHCARE SYSTEM, INC., a Florida  
corporation and ERISA plan sponsor, ALLEN S.  
WEISS, M.D., as plan administrator,**

**Defendants.**

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**ERISA CASE ORDER**

This case came on for a Preliminary Pretrial Conference on June 1, 2010. At the hearing, the Court discussed the expected progress of this case.

\_\_\_\_\_ This action is designated a **Track One** case. Track One cases are referred to the assigned Magistrate Judge for management and the entry of a Report and Recommendation. It is

**ORDERED** that, the following deadlines shall be applicable:

Submission by Defendant of the Administrative Record for review. Counsel shall indicate which pages of the record contain language which would indicate the appropriate standard of review.	The record shall be filed by <b>JUNE 11, 2010</b> and may be filed with the Clerk's Office in paper format.
Plaintiff's Motion and Memorandum of Law, Defendant's Cross Motion and Memorandum of Law	<b>30 DAYS</b> after the filing of the administrative record.

Defendant's Responsive Memorandum of Law, Plaintiff's Responsive Memorandum of Law	10 DAYS, if response is necessary
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It is **FURTHER ORDERED**, the medical chart shall be prepared up to **JUNE 9, 2010**, and shall be released with the administrative record within the time frame established in this case order. The parties are to advise the Court should the need arise to further discuss matters in this case.

The case will thereafter be taken under advisement.

**DONE AND ORDERED** at Fort Myers, Florida, this 2nd day of June, 2010.

  
SHERI POLSTER CHAPPELL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record