

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRECynthia Salisbury

v.

Case No. 09-cv-224-PB

Assurant Employee BenefitsORDERRe: Document No. 9, Motion to Strike Plaintiff's Statement
of Material Facts

Ruling:

Denied. The defendant shall meet and confer with the plaintiff within 14 days and attempt to agree on a statement of material facts. At this meeting, the parties shall also attempt to agree on any documents that plaintiff wishes to add to the administrative record. Within 14 days of the meet and confer session, the plaintiff shall file a revised statement of material facts and any documents that plaintiff contends should be added to the administrative record. Within 14 days of this filing, defendant may move to strike any documents that should not be a part of the administrative record and any factual averments in the joint statement that are not supported by the record. Plaintiff shall file her decision memorandum within 30 days of the date that the revised administrative record is filed unless a new motion to strike is filed, in which case, the decision memorandum shall be filed within 30 days of the court's ruling on the new motion to strike. The current motion to strike is denied to the extent that it seeks relief that is inconsistent with this order.

/s/ Paul Barbadoro
Paul Barbadoro
U.S. District Judge

Date: October 9, 2009

cc: Cynthia Salisbury, Pro Se.
Christopher Flanagan, Esq.,