

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<hr/> FRANK D'ELIA, M.D.	:	
	:	CIVIL ACTION
Plaintiff,	:	
v.	:	
	:	NO. 15-3040
UNUM LIFE INSURANCE COMPANY	:	
OF AMERICA	:	
	:	
Defendant.	:	
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ORDER

AND NOW, this 15th day of August, 2016, upon consideration of Defendant Unum Life Insurance Company of America's Choice of Law Motion Regarding Applicability of ERISA [Doc. No. 15], Plaintiff Frank D'Elia, M.D.'s Response in Opposition [Doc. No. 18], Defendant's Reply Brief [Doc. No. 22], Plaintiff's Sur-reply Brief [Doc. No. 25], Defendant's Sur-sur-reply Brief [Doc. No. 27], Plaintiff's Supplement to the Sur-reply [Doc. No. 28], and Defendant's Response to the Supplement to the Sur-reply [Doc. No. 29], it is hereby **ORDERED** that the Motion is **GRANTED**. Plaintiff's claims against Defendant shall be governed by the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001, et seq.

It is so **ORDERED**.

BY THE COURT:

/s/Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.