

Ursiny; and

3. additional information which may be obtained during the Ms. Ursiny's deposition may be helpful to the Court in its de novo review of LINA's denial of benefits to Plaintiff. However, questioning at the deposition will be limited to the following four specific areas that Plaintiff contends is relevant to a determination of whether a procedural conflict exists: (1) Defendant's reliance on the medical evidence; (2) Defendant's alleged failure to explain the rejection of Plaintiff's medical evidence; (3) Defendant's alleged failure to review Plaintiff's job duties and whether she could perform the job with her restrictions; and (4) Defendant's alleged failure to acknowledge that Plaintiff's employer would not accommodate her restrictions.¹

BY THE COURT:

/s/ Henry S. Perkin

HENRY S. PERKIN,
United States Magistrate Judge

¹ Ms. Ursiny may not be questioned regarding Defendant's alleged failure to consider documents transmitted by Plaintiff's counsel due to Defendant's voluntary commencement of a re-evaluation of the January 21, 2009 appeal decision. Plaintiff is also prohibited from questioning Ms. Ursiny regarding Defendant's consideration of: (1) Plaintiff's counsel's January 8, 2009 letter, (2) the letter dated January 5, 2008 from Dr. Jeremy Walters of Philhaven, and (3) Philhaven treatment records from December 2008.