

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

<p><b>ANNE BYBEL, M.D.,</b></p> <p style="padding-left: 40px;"><b>Plaintiff</b></p> <p style="padding-left: 40px;"><b>v.</b></p> <p><b>METROPOLITAN LIFE</b></p> <p><b>INSURANCE COMPANY;</b></p> <p><b>LINCOLN NATIONAL</b></p> <p><b>LIFE INSURANCE COMPANY,</b></p> <p style="padding-left: 40px;"><b>Defendants</b></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p><b>CIVIL ACTION</b></p> <p><b>NO. 09-570</b></p>
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**ORDER**

**STENGEL, J.**

**AND NOW**, this 18th day of November, 2010, upon careful consideration of defendant’s motion for summary judgment (Document No. 57), the plaintiffs’ response thereto (Document No. 63), and the reply and sur-reply thereto, IT IS **HEREBY ORDERED** that the defendant’s motion is **DENIED** for the reasons set forth in the accompanying memorandum.

BY THE COURT:

/s/ Lawrence F. Stengel  
 LAWRENCE F. STENGEL, J.