

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

SHERYL HEIM	:	CIVIL ACTION
	:	
vs.	:	
	:	
LIFE INSURANCE COMPANY OF NORTH AMERICA	:	NO. 10-1567

ORDER

AND NOW, this 21st day of March, 2012, it is hereby ORDERED that:

1. Plaintiff Sheryl Heim's motion for summary judgment (Dkt. 24) is GRANTED in part and DENIED in part.

(A) The parties are directed to confer as to the amount of judgment due for the initial twenty-four month period of Heim's eligibility for benefits. Within twenty-one days of this order, Heim shall either submit a proposed Judgment Order setting forth the agreed upon amount or, in the event the parties cannot agree, shall file a file a motion for judgment and LINA may file a response within fourteen days of the date that motion is filed.

(B) The case is remanded to defendant Life Insurance Company of North America ("LINA") to determine, consistent with this opinion, Heim's eligibility for disability benefits after the initial twenty-four month period.

2. LINA's motion for summary judgment (Dkt. 28) is DENIED.

3. If Heim desires to submit a petition for fees and costs, she shall do so within forty-five days of this Order. LINA shall file a response within twenty-one days of the date the petition is filed.

BY THE COURT:

/s/ J. William Ditter, Jr.
J. WILLIAM DITTER, JR., J.