

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GREGORY HEATH,
Plaintiff,
v.
METROPOLITAN LIFE,
INSURANCE COMPANY,
Defendant.
Case No. 3:09-0138
Judge Nixon
Magistrate Judge Brown

ORDER

Pending before the Court is Plaintiff Gregory Heath's ("Plaintiff") Motion for Judgment on the Record ("Plaintiff's Motion") (Doc. No. 17) and Defendant Metropolitan Life Insurance Company's ("Defendant") Motion for Judgment on the Record ("Defendant's Motion") (Doc. No. 19). Magistrate Judge Brown issued a Report and Recommendation ("Report") (Doc. No. 29) recommending that Plaintiff's Motion be granted in part and denied in part; that Defendant's Motion be denied, and that Plaintiff's claim for long-term disability benefits be remanded to the Plan Administrator for further consideration consistent with the Report. The parties have given notice that they do not intend to submit any objection to the Report (Doc. No. 34).

Upon review of the record in this case, the Court finds the Report to be well-founded and ADOPTS it in its entirety. Accordingly, the Court hereby GRANTS in part Plaintiff's Motion, DENIES Defendant's Motion and REMANDS the case to the Plan Administrator for further consideration consistent with the Report.

It is so ORDERED.

Entered this 20th day of January, 2010.

[Handwritten Signature]
JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT