

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ROSEMARY JONES,

Plaintiff,

vs.

AETNA U.S. HEALTHCARE, and
REPUBLIC NEW YORK CORPORATION
EMPLOYEE WELFARE BENEFIT PLAN,

Defendants.

CV 00-08065 FMC (AIJx)

**ORDER AMENDING MARCH 27, 2001
ORDER ON CROSS-MOTIONS FOR
SUMMARY JUDGMENT**

On January 12, 2001, the parties cross-moved for summary judgment as to Plaintiff Rosemary Jones' claim for disability benefits. On March 27, 2001, the Court issued its Order denying Aetna U.S. Healthcare's motion for summary judgment, granting Jones' motion for summary judgment, and reversing Aetna's decision denying Jones' claim for disability benefits.

On April 5, 2001, Aetna requested the Court to clarify its March 27, 2001 Order with respect to the period for which Jones is entitled to benefits. The Court's Order, filed March 27, 2001, is hereby amended as follows:

/ /
/ /

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section five (“V”) of the Order shall read:

Aetna’s motion for summary judgment is DENIED. Jones’ motion for summary judgment is GRANTED, and Aetna’s decision denying Jones’ claim for disability benefits is hereby REVERSED. Aetna is instructed to pay to Jones disability benefits for the entire two-year period covered by the “own-occupation” provision of the policy. The Court expresses no opinion concerning Aetna’s obligation, if any, for benefits under the “any occupation” provision of the policy.

IT IS SO ORDERED.

April 16, 2001

FLORENCE-MARIE COOPER, JUDGE
UNITED STATES DISTRICT COURT