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9-17-2012

Arlene Miller v. Mellon Long Term Disability PI

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 11-3833

ARLENE MILLER,

Appellant

v.

MELLON LONG TERM DISABILITY PLAN
and "JOHN DOE", Global Head of Compensation
and Benefits of the Bank of New York Mellon Corporation, in his or her official capacity
as Plan Administrator of Mellon Long Term Disability Plan, "JOHN DOE"
being fictitious, the real name of said defendant being unknown to plaintiff, said fictitious
name being intended to describe the unknown Global Head of Compensation
and Benefits of the Bank of New York Mellon Corporation

On Appeal from the United States District Court
for the Western District of Pennsylvania

(No. 09-cv-01166)

Magistrate Judge: Honorable Maureen P. Kelly

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
September 14, 2012

JUDGMENT ORDER

Before: SMITH and CHAGARES, Circuit Judges, and
ROSENTHAL, District Judge.*

*The Honorable Lee H. Rosenthal, United States District Judge for the Southern District of Texas, sitting by designation.

On September 15, 2011, the District Court granted summary judgment in favor of the defendants on all of Arlene Miller's claims related to her attempt to seek long-term disability benefits under her former employer's disability insurance plan. We have carefully considered the Magistrate Judge's excellent opinion, which we believe fully and accurately addresses the issues raised by Miller and therefore requires no further elucidation from this Court.

Accordingly, it is hereby ORDERED and ADJUDGED by the Court that the judgment of the District Court dated September 15, 2011, is hereby affirmed. All of the above in accordance with the opinion of this Court. No costs shall be taxed.

BY THE COURT,

/s/Michael A. Chagares
Circuit Judge

DATED: September 17, 2012