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CLERK, U.S. DISTRICT COURT
JUN 12 2006
CENTRAL DISTRICT OF CALIFORNIA
BY [REDACTED]

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CENTRAL DISTRICT OF CALIF.
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

14 SIMONA SHALOM,
15 Plaintiff,

16 vs.

17 METROPOLITAN LIFE
INSURANCE COMPANY;
18 AMERICAN EXPRESS LONG TERM
DISABILITY INSURANCE PLAN,

19 Defendants.
20

Case No. CV 05-4160 R(CT)
~~PROPOSED~~ JUDGMENT AND
ORDER UPON BENCH TRIAL

21 The trial of this matter occurred on May 23, 2006 before the Honorable
22 Manual Real, United States District Judge. After reviewing the evidence
23 presented and hearing the arguments of counsel, the Court rules that plaintiff
24 Simona Shalom is entitled to Judgement against defendants the American Express
25 Long Term Disability Insurance Plan and the Metropolitan Life Insurance
26 Company and (hereinafter "Defendants"), as follows:
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1 1. That Simona Shalom is disabled from her own occupation under the
2 terms of the Plan, and Defendants' decision that Simona Shalom is not disabled is
3 overturned;

4 2. That the Defendants are ordered to pay Simona Shalom the remainder
5 of the benefits due and owing for the Plan's 24 month "own occupation" period;

6 3. That the Defendants are ordered to ~~investigate Simona Shalom to the~~
7 ~~Plan~~ and investigate and determine whether Simona Shalom is disabled under the
8 "any gainful work and service" definition of disability;

9 4. That Simona Shalom is entitled to her costs in prosecuting this action;
10 and

11 5. That Simona Shalom may file a Motion for Attorney fees within 14
12 days after the entry of this Judgment and Order.

13
14 Dated: June 12, 2006

15
16 
17 THE HONORABLE MANUEL REAL
18 UNITED STATES DISTRICT JUDGE

19 Proposed by:

20
21 
22 By: _____
23 Russell G. Petti
24 Attorneys for Plaintiff Simona Shalom
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