

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

LISA FOSTER,)
)
 Plaintiff,)
)
 v.) CV-09-131-B-W
)
 SUN LIFE ASSURANCE COMPANY)
 OF CANADA,)
)
 Defendant.)

**AMENDED¹ ORDER AFFIRMING THE RECOMMENDED
DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed October 7, 2009, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that Plaintiff's Counter-Motion for Judgment on the Administrative Record (Docket # 27) be and hereby is GRANTED. It is further ORDERED that Defendant's Motion for Judgment on the Administrative Record (Docket # 26) be and hereby is DENIED. It is further ORDERED that this matter is remanded for further administrative proceedings.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 28th day of October, 2009

¹ This Amended Order adds the language regarding remand that was recommended by the Magistrate Judge in her Recommended Decision dated October 7, 2009 (Docket # 29).

Plaintiff

LISA FOSTER

represented by **DAVID J. VAN DYKE**
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V.

Defendant

**SUN LIFE ASSURANCE
COMPANY OF CANADA**

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