ERISA Addendum to Scheduling Conference Order

Where the plaintiff's claim is predicated in whole or in part on denial

of benefits under a plan regulated by the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1000 et seq. (ERISA), the parties shall address the following additional issues in their Joint Report:

1. Standard of Review. What standard of review is applicable? If the parties are in disagreement, they shall propose a schedule for early briefing and

decision of this issue on Motion.

2. Pre-Emption. Is there any contention that any state—law claim asserted by plaintiff is pre-empted by ERISA? If so, the parties shall propose a schedule for early briefing and decision of the issue on Motion.