UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Herron v. Hartford Life & Accident Insurance

319 F. App'x 475 (9th Cir. 2009) · Decided January 22, 2009

SUMMARY

The Ninth Circuit affirmed a district court judgment upholding Hartford Life’s discontinuation of Darlene Herron’s long-term disability benefits under an ERISA plan. The court held that the administrator did not abuse its discretion, that the administrative record supported a finding of no disability, and that the district court properly excluded evidence outside that record.

CASE DETAILS

COURT	United States Court of Appeals for the Ninth Circuit
WRITING FOR THE COURT	Bybee; Callahan; Scannlain
JURISDICTION	Federal
DECIDED	January 22, 2009
DISPOSITION	affirmed
PROCEDURAL POSTURE	Darlene M. Herron appealed from a district court judgment entered for the ERISA plan administrator after a bench trial on the administrative record concerning the discontinuation of her long-term disability benefits.
STANDARD OF REVIEW	The administrator's benefits decision was reviewed for abuse of discretion because the plan granted discretionary authority to determine eligibility for benefits. Underlying factual findings were reviewed for clear error. The district court's decision to limit review to the administrative record was upheld under the applicable ERISA standard.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Darlene M. Herron v. Hartford Life & Accident Insurance

TOPICS

erisa · employee benefits · standard of review · appellate procedure · insurance coverage

PRACTICE AREAS

ERISA | employee benefits | insurance | appellate procedure

QUESTIONS PRESENTED

1. Whether Hartford Life abused its discretion by denying Herron's claim for continued long-term disability benefits.
2. Whether the district court properly limited its review to the administrative record.
3. What standards of review governed the administrator's benefits decision and the underlying factual findings.

HOLDINGS

1. Hartford Life did not abuse its discretion in denying Herron's claim for continued long-term disability benefits because the administrative record contained adequate evidence supporting a finding of no disability.
2. The district court properly declined to consider evidence offered by Herron that was not contained in the administrative record.

KEY QUOTATIONS

> *"The district court properly concluded that Hartford Life did not abuse its discretion by denying Herron's claim for continued long-term disability benefits, because the administrative record contains evidence adequate to support a finding of no disability."* (319 F. App'x at 475)

> *"The district court properly declined to consider evidence offered by Herron that was not in the administrative record."* (319 F. App'x at 475)

FACTUAL BACKGROUND

Hartford Life administered an ERISA long-term disability plan under which Herron sought continued disability benefits. Hartford Life denied her claim for continued benefits, and the administrative record contained evidence supporting a finding that she was not disabled. Herron also offered evidence outside the administrative record, which the district court declined to consider.

PROCEDURAL HISTORY

Herron challenged Hartford Life's decision to discontinue her long-term disability benefits. After a bench trial on the administrative record, the district court entered judgment for Hartford Life. The Ninth Circuit affirmed and denied all pending motions.

DISPOSITION

affirmed

CASES CITED

- Abatie v. Alta Health & Life Insurance Co., 458 F.3d 955 (9th Cir. 2006) (en banc)
- Metropolitan Life Insurance Co. v. Glenn, 554 U.S. 105, 128 S. Ct. 2343, 171 L. Ed. 2d 299 (2008)
- Jordan v. Northrop Grumman Corp. Welfare Benefit Plan, 370 F.3d 869 (9th Cir. 2004)

OPINION

PER CURIAM.

MEMORANDUM ** Darlene M. Herron appeals pro se from the district court's judgment for an ERISA plan administrator ("Hartford Life"), after a bench trial on the administrative record, in her action challenging the decision to discontinue her long-term disability benefits.

We have jurisdiction pursuant to 28 U.S.C. § 1291. We review for abuse of discretion the administrator's decision where the benefit plan grants the administrator discretionary authority to determine eligibility for benefits. Abatie v. Alta Health & Life Ins. Co., 458 F.3d 955, 963 (9th Cir.2006) (en banc); see Metro. Life Ins. Co. v. Glenn, — U.S.-, 128 S.Ct.

2343, 2350-51, 171 L.Ed.2d 299 (2008). We review for clear error the underlying findings of fact. Abatie, 458 F.3d at 962. We affirm. The district court properly concluded that Hartford Life did not abuse its discretion by denying Herron's claim for continued long-term disability benefits, because the administrative record contains evidence adequate to support a finding of no disability.

See Jordan v. Northrop Grumman Corp. Welfare Benefit Plan, 370 F.3d 869, 875, 880-82 (9th Cir.2004). The district court properly declined to consider evidence offered by Herron that was not in the administrative record. See Abatie, 458 F.3d at 970 ("[I]n general, a district court may review only the administrative record when considering whether the plan administrator abused its discretion!;.]").

Herron's remaining contentions are unavailing. We deny all pending motions. AFFIRMED. This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.