

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 20 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

PAULA K. STONE,

Plaintiff - Appellee,

v.

BAYER CORPORATION DISABILITY
PLANS, erroneously sued as Bayer
Corporation Long Term Disability Plan, an
employee welfare benefit plan and
BAYER CORPORATION, an Indiana
corporation,

Defendants - Appellants.

No. 10-35665

D.C. No. 3:08-cv-00356-BR

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Anna J. Brown, District Judge, Presiding

Submitted July 14, 2011**
Portland, Oregon

Before: PREGERSON, WARDLAW, and M. SMITH, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Defendants appeal the district court's grant of summary judgment in Plaintiff's favor. For the reasons stated in the district court's well-written and well-reasoned Opinion and Order of January 15, 2010, we affirm.

AFFIRMED.