

Submitted: September 10, 1997
Filed: March 23, 1998

Before BOWMAN, HENLEY,¹ and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Plaintiff Armenta L. Davis, suing under ERISA to obtain benefits pursuant to her former employer's disability plan, appeals from the judgment of the District Court,² entered after a trial on the merits, in favor of U.S. West, Inc. and the other defendants. Having considered the briefs, the record, and the arguments of the parties, we find no reason for reversing that judgment. More specifically, we conclude that the court (1) properly applied a deferential standard of review (abuse of discretion) to the decision of the plan administrators and (2) did not err in finding the absence of any abuse of discretion in either the administrators' interpretation of the plan or the administrators' factual determinations. Accordingly, we sustain the judgment of the District Court on the basis of that court's thorough and well-written opinions.

AFFIRMED. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable J. Smith Henley died on October 18, 1997. This opinion is consistent with his vote at the panel's conference on September 10, 1997, following the oral argument of the case.

²The Honorable Thomas M. Shanahan, United States District Judge for the District of Nebraska.