

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-14923

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT SEPT 15, 2010 JOHN LEY CLERK
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D. C. Docket No. 06-02090-CV-TCB-1

JANE M. MATTOX,

Plaintiff-Counter-
Defendant-Appellant-
Cross Appellee,

versus

LIFE INSURANCE COMPANY OF NORTH
AMERICA,
a subsidiary of the CIGNA Corporation
(CIGNA),

Defendant-Counter-
Claimant-Appellee-
Cross Appellant.

AMVESCAP GROUP LONG TERM
DISABILITY PLAN, et al.,

Defendant.

Appeals from the United States District Court
for the Northern District of Georgia

(September 15, 2010)

Before HULL, MARTIN and FAY, Circuit Judges.

PER CURIAM:

After a thorough review of the record and having the benefit of oral argument, we agree with the District Court that the Life Insurance Company of North America was not arbitrary and capricious in denying long term disability benefits to Jane Mattox. We therefore AFFIRM the grant of summary judgment in favor of LINA on that issue.

The District Court also denied relief to LINA on its claim for reimbursement of the amount it overpaid Mattox as a result of the award of a lump sum payment she received as Social Security disability benefits. In doing so, the District Court weighed the equities favoring each party, and found the scale to tip in favor of Mattox. While LINA disagrees with the decision of the District Court, it does agree that its cause of action on this claim is equitable in nature. In matters of equity, the purview of the district court is broad, and ours is correspondingly narrow. Lemon v. Kurtzman, 411 U.S. 192, 200, 93 S. Ct. 1463, 1469 (1973). We therefore also AFFIRM the District Court's denial of relief to LINA on its counterclaim for reimbursement.