



Page 2

No. 04-1224 & 04-1225

Jean Levine, et al v. United Healthcare Corp.

Footnote 11 is amended to read as follows:

These excluded scenarios are set forth in the “deemer” clause, and exempt certain self-funded ERISA plans from the reach of state laws otherwise saved from preemption under the savings clause. The deemer clause is not at issue here. See 29 U.S.C. § 1144 (b)(2)(B).

By the Court,

/s/ Richard L. Nygaard

Circuit Judge

Dated: March 24, 2005