

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

CIVIL ACTION NO. 09-227-KSF

THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA,

PLAINTIFF

v.

OPINION & ORDER

BENNIE JEAN BUTTRY a/k/a
JEANNIE BUTTRY and
DEAN BUTTRY

DEFENDANTS

* * * * *

This matter comes before the Court on the motion of the defendants, Bennie Jean Buttry a/k/a Jeannie Buttry (hereinafter “Bennie Jean Buttry”) and Dean Buttry for an order authorizing distribution of proceeds to Bennie Jean Buttry. The plaintiff, Prudential Insurance Company of America (“Prudential”) filed this interpleader action to determine whether the named beneficiary, defendant Bennie Jean Buttry, or the contingent beneficiary, defendant Dean Buttry, is entitled to recover the insurance benefits payable upon the death of William Buttry III based on an employee welfare benefit plan issued by Prudential.

Pursuant to the Court’s Order of November 20, 2009 [DE #20], Prudential deposited into the Court registry the entire death claim benefit of \$50,000, plus \$9,527.72 in interest. The Court subsequently granted Prudential’s motion for attorney’s fees in the amount of \$9,077.00 [DE #25].

The defendants now move the Court for an order authorizing the disbursement of funds to Bennie Jean Buttry. The Court, being fully and sufficiently advised, hereby **ORDERS** as follows:

- (1) the defendant’s motion for an order authorizing disbursement of funds [DE #27] is **GRANTED**; and

- (2) a judgment setting forth the proper disbursement of the funds will be entered contemporaneously with this Opinion & Order.

This March 12, 2010.



Signed By:

Karl S. Forester K S F

United States Senior Judge