

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA,)
)
Plaintiff,)
)
v.)
)
WINONA CHUMNEY, in her)
capacity as guardian of)
minor children CAC and)
PAC; JAMES ALLEN CHUMNEY;)
and the ESTATE OF)
CHRISTINE ANN CHUMNEY,)
deceased,)
)
Defendants.)

CIVIL ACTION NO.
1:08cv474-MHT
(WO)

DISCHARGE AND DISBURSEMENT ORDER

This cause came before the court on the plaintiff Prudential Insurance Company of America's motion to be discharged from further liability to all persons or entities for payment under the Group Contract for Basic Employee Term Life benefits insuring the life of Christine Chumney (doc. no. 65) and defendant Winona Chumney's motion for disbursement (doc. no. 70).

There is no dispute that defendant Winona Chumney, as guardian for minor children CAC and PAC, is entitled to payment under the Group Contract for Basic Employee Term Life benefits insuring the life of Christine Chumney in the amount of \$ 60,148.58. Prudential has already deposited funds in this amount with the clerk of the United States District Court for the Middle District of Alabama, and the evidence reflects that these funds should be distributed evenly between the conservatorships for minor children CAC and PAC. The issue of whether Winona Chumney, as guardian for minor children CAC and PAC, is entitled to payment under the Group Universal Life and the Accidental Death & Dismemberment policies is addressed by Winona Chumney's counterclaim against Prudential and is not resolved by this order.

Upon consideration of the motions, the court finds that the discharge of Prudential and the disbursement of the interpled funds would be in the best interest of

minor children CAC and PAC, and that therefore the motions should be granted.

Accordingly, it is ORDERED, ADJUDGED, and DECREED, pursuant to Rule 22 of the Federal Rules of Civil Procedure, that:

(1) Plaintiff Prudential Insurance Company of America's motion to be discharged from further liability to all persons or entities for payment under the Group Contract for Basic Employee Term Life benefits insuring the life of Christine Chumney (doc. no. 65) and defendant Winona Chumney's motion for disbursement (doc. no. 70) are granted.

(2) Plaintiff Prudential Insurance Company of America is discharged from further liability to all persons or entities for payment under the Group Contract for Basic Employee Term Life benefits insuring the life of Christine Chumney.

(3) The clerk of the court is to disburse to Ramsey Baxley & McDougle, P.C. benefits in the amount of

\$ 60,148.58, which were paid by plaintiff Prudential Insurance Company of America into court.

(4) Ramsey, Baxley & McDougale, P.C. shall then pay equal amounts of this sum to the conservatorships of CAC and PAC.

DONE, this the 7th day of May, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE