

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WO

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Metropolitan Life Insurance Company,

Plaintiff,

v.

Dale Sullens and Linda Johnston,

Defendants.

No. CIV 06-3113 PHX-SMM
ORDER

Upon Motion of Plaintiff Metropolitan Life Insurance Company (Dkt. 6) and just cause appearing,

IT IS ORDERED that the Clerk of the Court accept the check of Metropolitan Life Insurance Company in the sum of \$28,679.00, plus any applicable interest (“Plan Benefits”), with respect to this interpleader action and the deposit said check into the Registry Account of the Court pursuant to 28 U.S.C. § 2041.

IT IS FURTHER ORDERED, pursuant to Rule 1.13, *Rules of Practice of the United States District Court for the District of Arizona*, that the Clerk of the Court and/or the Financial Deputy shall invest the Plan Benefits so deposited in the Registry Account of this Court.

1 IT IS FURTHER ORDERED, pursuant to 28 U.S.C. § 2361, that the Clerk of this
2 Court shall issue its process directed to Dale Sullens and Linda Johnston, as “claimants,”
3 and shall be addressed to and personally served upon them where each claimant resides
4 or may be found, if the claimants do not agree to waiver of service under Rule 4(d), *Fed.*
5 *R. Civ. Proc.*

6 IT IS FURTHER ORDERED, pursuant to 28 U.S.C. § 2361, that said
7 Claimants/Defendants, above-named, are hereby and herewith restrained from instituting
8 or prosecuting any proceeding in any state or United States Court against MetLife,
9 General Motors, or the Plan with respect to the Plan Benefits.

10 Dated this 8th day of January, 2007.

11
12
13
14 
15 Stephen M. McNamee
16 United States District Judge
17
18
19
20
21
22
23
24
25