

TIMOTHY F. WATSON, SR.

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RECEIVED
IN THE CHAMBERS OF
U.S. DISTRICT COURT JUDGE
BRIAN S. MILLER

AUG 05 2010

August 3, 2010

The Honorable Brian S. Miller
U. S. District Court
Rm. D52
500 W. Capitol Avenue
Little Rock, AR 72201-3325

RE: Jackson National Life Insurance Company v Tracy Lee Winters, et al
US District Court, Eastern District of Ark, Western Division #4:10CV01076 BSM

My File: Merchants and Planters Bank # 2009-312

Dear Judge Miller:

I have received Initial Scheduling Order from the Court Clerk in the above case.

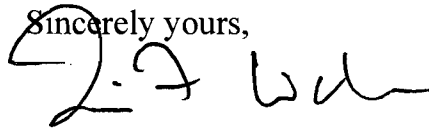
The Court may recall that I represent the Merchants & Planters Bank. We have filed a pleading disclaiming any interest in the subject matter of this case. I am enclosing copy of that pleading for your ready reference. Therefore, I assume it is not necessary for me to comply with the scheduling order or to make any appearance.

I would appreciate it, if the other parties have no objection, if the Court would enter an order dismissing the cause of action against my client. Please advise. If so, I will prepare such an order and circulate it.

I look forward to hearing from you.

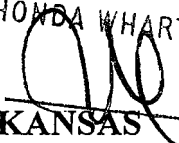
Thanking you and with best wishes, I am

Sincerely yours,



Timothy F. Watson, Sr.

TFW/kc
Enclosure

FILED
2009 AUG 11 AM 10 59
RHONDA WHARTON, CLERK
BY  DC

IN THE CIRCUIT COURT OF FAULKNER COUNTY, ARKANSAS
SECOND DIVISION

JACKSON NATIONAL LIFE INSURANCE COMPANY

PLAINTIFF

VS.

NO. CV-2009-869

TRACY LEE WINTERS, KELLY LEE WINTERS,
MARCY LEE WINTERS FIELDER, IRMA JEAN
SHOFFNER AND JIM S. GOWEN, SR., OR HIS
SUCCESSORS, CHAIRMAN, MERCHANTS AND
PLANTERS BANK OF NEWPORT

DEFENDANTS

SEPARATE ANSWER OF JIM S. GOWEN, SR., CHAIRMAN,
MERCHANTS AND PLANTERS BANK OF NEWPORT

COMES the Separate Defendant, Jim S. Gowen, Sr., Chairman, Merchants and Planters Bank of Newport, by his attorney, Timothy F. Watson, Sr., and hereby states:

1. That neither the said Jim S. Gowen, Sr., in his capacity as Chairman of the Merchants and Planters Bank, or the Merchants and Planters Bank Newport, Arkansas, claims any interest whatsoever in the subject matter of this cause, and hereby agree that a judgment may be entered to the effect that these defendants have no interest or claim upon the fund sought to be interpleaded.
2. That said defendants have no other interest in this matter, and agree that judgment may be entered finding that they have no claim or interest in said fund.

WHEREFORE, having answered said Complaint for Interpleader, Jim S. Gowen, Sr.

, in his capacity as Chairman of the Merchants and Planters Bank of Newport, and the Merchants and Planters Bank Newport, Arkansas, pray an order of this Court finding that these defendants have and claim no interest whatsoever in the funds sought to be interpleaded herein, and dismissing same as to them; and for any other relief to which they may be entitled.

**JIM S. GOWEN, SR., CHAIRMAN,
MERCHANTS AND PLANTERS BANK OF
NEWPORT, SEPARATE DEFENDANTS**

By: _____



**TIMOTHY F. WATSON, SR.
ATTORNEY FOR SEPARATE
DEFENDANTS
209 WALNUT STREET
NEWPORT, AR 72112
(870) 523-8420**

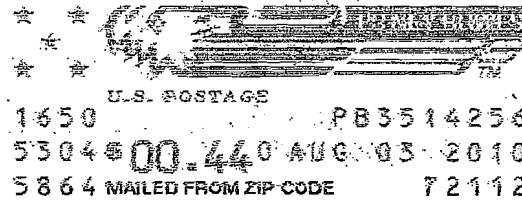
CERTIFICATE OF SERVICE

I, Timothy F. Watson, Sr., do hereby certify that I have served a copy of the above and foregoing pleading to Jeffrey W. Hatfield, Mitchell, Williams, Selig, Gates & Woodyard, PLLC, 425 W. Capitol Avenue, Suite 1800, Little Rock, AR 72201, by placing a copy of same in the U.S. Mail, with sufficient postage to insure delivery on this 10 day of August, 2009.


TIMOTHY F. WATSON, SR.

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Attorney at Law
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