

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

KATHY SPILKER

PLAINTIFF

v.

Case No. 5:12-cv-00438 KGB

GEICO GENERAL INSURANCE COMPANY

DEFENDANT

CONFESSED JUDGMENT

Pursuant to the joint stipulation of the parties (Dkt. No. 40), the Court enters a Confessed Judgment in favor of plaintiff Kathy Spilker and against defendant GEICO General Insurance Company ("GEICO") in the amount of \$35,000.00 for recoverable damages under Ms. Spilker's policy with GEICO. GEICO shall promptly pay the sum to Ms. Spilker, in accordance with payment instructions to be provided by her attorney.

Notwithstanding GEICO's agreement to pay Ms. Spilker's demand for policy damages, the parties dispute and reserve for the Court to decide whether GEICO owes any penalty or attorney's fees under Ark. Code Ann. § 23-79-208. The Court will retain jurisdiction over this case to entertain motions concerning these issues or others that have not been resolved by the joint stipulation. *See, e.g., Nationwide Mut. Ins. Co. v. Cumbie*, 215 S.W.3d 694 (Ark. App. 2005). Accordingly, the Clerk of the Court is directed not to term this case.

SO ORDERED this 14th day of February, 2014.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE