

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ZURICH AMERICAN INSURANCE COMPANY

PLAINTIFF

v.

Case No. 15-cv-4019

FIKES TRUCK LINE, LLC

DEFENDANT

ORDER

Before the Court is a Motion for Order to Garnishee Unclaimed Property Division, a/k/a State of Arkansas Auditor of State (ECF No. 49) and a Motion for Order to Garnishee Hope Water & Light (ECF No. 59), both filed by Plaintiff Zurich American Insurance Company. No party has filed a response or objection to the motions.

Plaintiff filed its Complaint against Defendant on February 13, 2015. (ECF No. 1). The parties subsequently informed the Court that a settlement had been reached in the matter. On October 29, 2015, the Court entered an Order dismissing the case pursuant to the terms of the settlement agreement. (ECF No. 16). Plaintiff then filed applications for Writs of Garnishment, as the total amount of the judgment had yet to be satisfied. (ECF No. 37).

On January 26, 2016, Plaintiff issued a Writ of Garnishment as to the Arkansas Auditor of State and the State of Arkansas. (ECF No. 38 & 47). The Office of the Auditor of State filed an answer (ECF No. 48), and it stated that it is custodian of four properties escheated to its Unclaimed Property Division as follows:

Property No.	Received from	Date	Amount
10750818	Ceridian Corporation	Oct. 30, 2006	\$170.00
10856499	Ceridian Corporation	Oct. 30, 2007	\$138.31
20646396	Coca-Cola Refreshment	Oct. 31, 2013	\$9.91
20868228	Coca-Cola Refreshment	Nov. 4, 2014	\$6.34
		Total	\$324.56

Plaintiff requests that the Court direct the Office of Auditor of State to pay \$324.56 to the Plaintiff and discharge the Garnishee of further liability on the writs upon delivery of the payment to the Plaintiff.

On January 26, 2016, Plaintiff also issued a Writ of Garnishment as to Hope Water and Light. (ECF No. 46). Garnishee Hope Water & Light filed an amended answer. (ECF No. 57). Hope Water and Light stated under oath that it is holding funds owed to Defendant Fikes Truck Line, LLC in the amount of \$580.98. Plaintiff requests that the Court direct Hope Water and Light to pay the amount owed to the Plaintiff and further discharge it of any further liability upon delivery of payment.

Upon review, the Court finds that the Motions for Order to Garnishee (ECF No. 49 & 59) should be and hereby are **GRANTED**. Garnishee Office of Auditor of State for the State of Arkansas is hereby ordered to pay \$324.56 to Zurich American Insurance Company and deliver the payment to the Plaintiff's attorney. Garnishee Hope Water & Light is hereby ordered to pay Zurich American Insurance Company the amount of \$580.98 and deliver the payment to Plaintiff's attorney. Upon payment of said amounts, said Garnishees shall be discharged from all liability on the Plaintiff's Writs of Garnishment.

IT IS SO ORDERED, this 28th day of March, 2016.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge