

United States District Court
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

**FREDERICK S. WETZEL, III, Trustee and
G. LATTA BACHELOR, III, successor
Personal Representative of the ESTATE OF
RONALD E. REAGAN, Deceased,**

Appellants,

v.

**REGIONS BANK, N.A. and
CHERYL A. REAGAN, Debtor,**

Appellees.

Case No. 6:09-cv-6075

AGREED ORDER
TO DISTRIBUTE FUNDS FROM REGISTRY OF BANKRUPTCY COURT

This case came to this court on an appeal from the decision of the bankruptcy court in an adversary proceeding styled *Regions Bank v. Wetzel, et al.*, USBC AP No. 6:08-ap-071158 (Bankr. W.D.Ark.). In a memorandum opinion filed April 15, 2010, this court affirmed the decision of the bankruptcy court, a decision which was recently affirmed by a panel of the Eighth Circuit Court of Appeals on August 12, 2011.¹

Part and parcel of the advisory proceeding was the question of what to do with accumulated trust income during the pendency of the litigation. The bankruptcy court directed that trust income be paid into the registry of the bankruptcy court, then later ordered the funds returned to the trustee of the trust in question, Regions Bank

¹ The Appeal received two case numbers because the Trustee and the Intervenor filed their respective notices of appeal separately: *Bachelor v. Regions, et al.*, No. 10-2117 and *Wetzel v. Regions, et al.*, No. 10-2123

("Regions"). This Court later approved a compromise proposal wherein a stay was effected wherein funds paid into the registry of the bankruptcy court by Regions up to a certain date would remain there until all appeals were concluded but prospective income from the trust in question would be paid by Regions to the income beneficiary. [DOC # 32, 2/2/2011]

The case on the merits has been concluded by the Court of Appeals. According to Ms. Dee Dee Morehead of the Bankruptcy Court Clerk's office in Little Rock, the registry balance as of August 24, 2011, is \$112,310.68, 34 cents of which should be retained by the clerk's office.

Noting the agreement of all parties, the Court hereby orders all but \$0.34 of the money held in the registry, i.e. \$112,310.34 to be paid from the registry of the bankruptcy court to Regions, who shall then administer said funds as required by the terms of the trust.

IT IS SO ORDERED.

/s/ Honorable Robert T. Dawson
United States District Judge

September 2, 2011

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

SEP 02 2011

CHRIS R. JOHNSON, Clerk
By

Deputy Clerk

AGREED:

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