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MADE JS-6

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6
 7 **UNITED STATES DISTRICT COURT**
 8 **CENTRAL DISTRICT OF CALIFORNIA**
 9

11 PROTECTIVE LIFE INSURANCE)
 COMPANY,)
 12)
 Plaintiff,)
 13)
 14 vs)
 15 REGINALD S. GIVINS, SR., an)
 individual, and LOLITA GIVINS, an)
 16 individual,)
 17)
 Defendants.)
 18 _____)
 19 REGINALD S. GIVINS, SR.,)
 Counter-Complainant,)
 20)
 21 vs)
 22 LOLITA GIVINS,)
 Counter-Respondent.)
 23 _____)

CASE NO.: CV09- 6054 GW
 (FFMx)
 [Assigned to George H. Wu]

**JUDGMENT ON COUNTER
 COMPLAINT OF REGINALD S.
 GIVINS, SR.**

RECITALS

26 WHEREAS, this is an action in interpleader initiated by Plaintiff and
 27 disinterested Protective Life Insurance Company against Reginald S. Givins, Sr., an
 28 individual and Lolita Givins, an individual; and

1 WHEREAS, service of process was effected by Plaintiff against competing
2 claimants Reginald S. Givins, Sr. and Lolita Givins and the Default of Lolita Givins
3 was taken with respect to the Complaint on file herein by Plaintiff; and

4 WHEREAS, Reginald S. Givins, Sr. made a timely appearance via Answer
5 and Counter-Complaint herein, alleging that Reginald S. Givins, Sr. and Reginald S.
6 Givins, Sr., alone, is the sole person entitled to the funds on deposit with the Clerk
7 of this Honorable Court; and

8 WHEREAS, Lolita Givins was properly served with the Summons on the
9 Counter-Complaint on November 17, 2009 and the Default of Lolita Givins was
10 entered by the Court on January 12, 2010; and

11 WHEREAS, pursuant to the Stipulation of all parties making an appearance in
12 the action, Plaintiff, Protective Life Insurance Company, was discharged from the
13 within action and awarded attorneys fees in the sum of \$5,015.38 pursuant to
14 Stipulation filed with the Court on December 16, 2009; and

15 WHEREAS, the Default of Lolita Givins having been taken by all parties to
16 the action, and with particular respect to the Counter-Complaint of Reginald S.
17 Givins, Sr., the Court for good cause having been shown, hereby enters Judgment in
18 favor of Reginald S. Givins, Sr. and against Lolita Givins on the Counter Complaint
19 herein.

20 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
21 DECREED THAT:

22 1. Judgment is entered in favor of Reginald S. Givins, Sr. and against
23 Lolita Givins on the Counter Complaint on file herein.

24 2. Reginald S. Givins, Sr. is awarded all funds remaining on deposit with
25 this Court by Protective Life Insurance Company and the Court finds and hereby
26 orders that Lolita Givins has no entitlement thereto.

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3. The Clerk is ordered to distribute all funds on deposit with this Court to Reginald S. Givins, Sr. forthwith.

Dated: February 2, 2010



Hon. George H. Wu,
Judge of the United States District Court

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES) ss

4 I am employed in the county of Los Angeles, State of California. I am over the age of 18 and
5 not a party to the within action; my business address is 3424 Carson Street, Suite 500, Torrance, CA
90503.

6 On January ____, 2010, I served the foregoing document described as [PROPOSED]
7 JUDGMENT ON COUNTER COMPLAINT OF REGINALD S. GIVINS, SR., on the
8 interested parties in this action by placing true copies thereof enclosed in sealed
9 envelopes addressed as follows:

10 See Attached Service List

11 X (BY MAIL) As follows: I am "readily familiar" with the firm's practice of
12 collection and processing correspondence for mailing. Under that practice it
13 would be deposited with U.S. postal service on that same day with postage
14 thereon fully prepaid at Torrance, California in the ordinary course of business.
15 I am aware that on motion of the party served, service is presumed invalid if
16 postal cancellation date or postage meter date is more than one day after date of
17 deposit for mailing in affidavit.

18 — (BY PERSONAL SERVICE) By personally delivering copies to the individual
19 listed above at the address listed above or by personally delivering copies to the
20 office of the individual listed above at the address listed above, in a package
21 clearly labeled to identify the personal being served, with a receptionist or with
22 a person in charge. [C.C.P. § 1011]

23 — (BY EXPRESS MAIL) By placing the above documents in the United States
24 mail for Express Mail delivery at Torrance, California, in a sealed envelope
25 addressed as above with Express Mail postage thereon fully prepaid, [C.C.P. §§
26 1013(c), 2015.5]

27 — (BY FEDERAL EXPRESS) By depositing copies of the above documents in a
28 box or other facility regularly maintained by Federal Express and bearing airbill
number _____, in an envelope designated by Federal Express
with delivery fees paid or provided for, addressed to the individual listed above,
at the address listed above. [C.C.P. §§ 1013(c), 2015.5]

— (BY FAX) As follows: On _____ at approximately _____
p.m. by use of facsimile machine number (310) 214-0764, I served as copy of the
foregoing on the interested parties in this action by transmitting by facsimile
machine to the following: [C.C.P. § 1013(e)]

25 x (FEDERAL) I declare that I am employed in the office of a member of the
26 bar of this court at whose direction the service was made.

27 Executed on January ____, 2010, at Torrance, California.

28 _____
Susan K. Miller

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SERVICE LIST

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Defendant and Cross-Defendant,
Lolita Givins