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5 Attorneys for Plaintiff  
 6 **WESTERN RESERVE LIFE**  
**ASSURANCE CO. OF OHIO**

7  
 8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 WESTERN RESERVE LIFE  
 11 ASSURANCE CO. OF OHIO, an Ohio  
 corporation,

12 Plaintiff,

13 v.

14 DANIEL DUONG, XIAOLING SHI,  
 15 AARON CHIH YUAN LEE, and NA  
 SHEN,

16 Defendants.

17  
 18 **AND RELATED CROSS-CLAIMS.**  
 19

Case No.: **2:10-cv-07764-JHN -JCGx**

**PARTIAL JUDGMENT IN  
 FAVOR OF PLAINTIFF IN  
 INTERPLEADER WESTERN  
 RESERVE LIFE ASSURANCE  
 CO. OF OHIO**

Hon. Jacqueline H. Nguyen

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**PARTIAL JUDGMENT**

WHEREAS on September 1, 2011, this Court entered its Order on Stipulation Dismissing, Discharging, and Releasing Western Reserve Life and Awarding Attorneys' Fees and Costs (Document No. 62), and in accordance with said Stipulation (Document No. 51) and Order, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. All proceeds of WESTERN RESERVE LIFE ASSURANCE CO. OF OHIO ("WRL") life insurance policy number 13298673 ("the Policy") issued to Donglei Shi ("the decedent") have been fully interpleaded into the registry of this Court with interest to the date of deposit;

2. Defendants DANIEL DUONG ("Duong") and XIAOLING SHI ("Shi") (jointly, "defendants") shall not bring any additional action and shall dismiss with prejudice any currently pending action, aside from the present one, against WRL for recovery of benefits under the Policy that are payable by reason of the decedent's death;

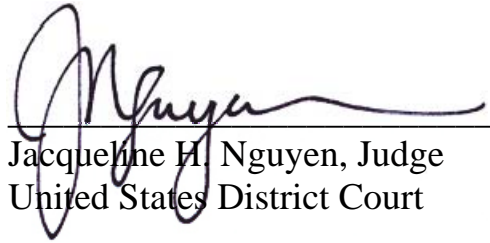
3. That, having deposited the Policy proceeds plus interest with the Clerk of the Court, WRL, and its past, present and future parents, subsidiaries, affiliates, assignees, predecessors, successors, agents, producers, employees, officers, directors, attorneys and insurers are now discharged from any further liability to defendants, and each of them, with respect to any matter related to the Policy, any claim thereunder, or this action; provided, however, that neither Jing Zhang nor Daniel Duong shall be considered agents, producers, or employees of WRL or otherwise affiliated with WRL for purposes of this Order; and

4. WRL is awarded its costs of suit incurred herein, including its reasonable attorney's fees, to be paid out of the funds that WRL has deposited with the Clerk of the Court. The Clerk of this Court is directed immediately to pay WRL its attorneys' fees and costs in the stipulated amount of \$25,000.00.

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Payment shall be made to “Western Reserve Life Assurance Co. of Ohio” and the check forwarded to its attorneys of record in this action.

Dated: September 12, 2011



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Jacqueline H. Nguyen, Judge  
United States District Court