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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE)	CV 16-08317-RSWL-RAO
COMPANY,)	
)
Plaintiff-in-)	JUDGMENT
Interpleader,)	
)
v.)	
)
BAMBI GICANA; and ARACELI)	
MALONEY,)	
)
Defendants-in-)	
Interpleader.)	
)
AND RELATED CROSS AND)	
COUNTER CLAIMS)	
)

WHEREAS, on April 3, 2018, this Court entered partial summary judgment in favor of Defendant-in-Interpleader Bambi Gicana ("Gicana"), finding that Defendant-in-Interpleader Araceli Maloney ("Maloney") breached her fiduciary duty with respect to Efren Molina Martinez's ("Decedent") life insurance and 401(k) policies,

1 **WHEREAS**, on May 18, 2018, the Action came on for
2 trial before the Court on the sole issue of
3 availability of an equitable remedy with respect to
4 Decedent's 401(k) benefits,

5 **WHEREAS**, on June 1, 2018, this Court entered
6 judgment in favor of Gicana on the equitable remedies
7 for the 401(k) benefits,

8 **IT IS HEREBY ORDERED, ADJUDGED, and DECREED** that
9 judgment is entered in favor of Gicana and against
10 Maloney, in accordance with this Court's previous Order
11 re: Gicana's Motion for Summary Judgment and Order re:
12 Bench Trial. The entire balance of funds in this
13 Court's registry, less any fees payable to the Clerk of
14 Court, shall be distributed to the Superior Court of
15 California, payable to the Clerk of Court, Case No.
16 16STPB03539, Stanley Mosk Courthouse, 111 North Hill
17 Street, Los Angeles, CA 90012, in which Decedent's
18 trust is being litigated. Further, Decedent's trust
19 holds an equitable lien up to \$460,509.25 on Maloney's
20 individual retirement account at Securities America.
21 Maloney owes the trust an accounting of her
22 transactions involving the 401(k) monies and
23 restitution. Gicana shall recover her costs in this
24 Action.

25 **IT IS SO ORDERED.**

26 DATED: June 1, 2018

RONALD S.W. LEW

HONORABLE RONALD S.W. LEW
Senior U.S. District Judge

27
28 cc: fiscalCM@cacd.uscourts.gov