

1 MICHAEL K. BRISBIN (SBN 169495)
Email: Michael.Brisbin@wilsonelser.com
2 DENNIS J. RHODES (SBN 168417)
Email: Dennis.Rhodes@wilsonelser.com

JS-6

3 **WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**

4 525 Market Street, 17th Floor
San Francisco, CA 94105
5 Telephone: (415) 433-0990
6 Facsimile: (415) 434-1370

NOTE: CHANGES MADE BY THE COURT

7 Attorneys for Plaintiff,
THE UNITED STATES LIFE INSURANCE
8 COMPANY IN THE CITY OF NEW YORK

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 THE UNITED STATES LIFE
13 INSURANCE COMPANY IN THE
CITY OF NEW YORK,

14 Plaintiff,

15 v.

16 BRIAN H. GENTNER as TRUSTEE OF
17 THE GENTNER SURVIVOR'S TRUST
DATED DECEMBER 8, 1981, CHASE as
18 SUCCESSOR-IN-INTEREST TO BANK
ONE, as SUCCESSOR-IN-INTEREST
19 TO VALLEY NATIONAL BANK LIFE
INSURANCE TRUST ACCOUNT #B252
20 and Does 1-10, inclusive,

21 Defendants.

Case No.:SACV15-00352-AG-(JCGx)

**STIPULATED JUDGMENT OF
DISCHARGE IN INTERPLEADER
AND FOR DISTRIBUTION OF
INTERPLED FUNDS**

Complaint Served: 3/6/15

22
23
24 Upon the Stipulation for Entry of Judgment of Discharge in Interpleader and
25 for Distribution of Interpled Funds, it appearing that this Court has jurisdiction of
26 the parties and of the subject matter set forth in plaintiff The United States Life
27 Insurance Company in the City of New York's ("US Life") Complaint for
28

1 Interpleader and Declaratory Relief filed in this action, and good cause appearing
2 therefore,

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

4 1. That this Court has jurisdiction over this matter pursuant to 28 U.S.C.
5 Section 1335;

6 2. That US Life properly filed the Complaint for Interpleader and
7 Declaratory Relief in this action and stated a proper cause for interpleader;

8 3. That US Life and defendant Gentner have agreed that the \$10,136.13
9 interpled by US Life with the Court in this action, plus any interest accrued while on
10 deposit with the Court and minus any fees assessed by the Court, shall be paid to
11 “The Gentner Decedent’s Trust, Brian H. Gentner, Trustee” c/o Brian Gentner,
12 18201 Von Karman Avenue, Suite 900, Irvine, CA 92612;

13 4. That defendant Chase has no further claim to or interest in the death
14 benefit due under US Life group policy no. G230, 808 (the “Policy”), which
15 provided life insurance coverage to Decedent George Gentner;

16 5. That having brought this action and deposited with the Court the death
17 benefit due under the Policy plus accrued interest, in the amount of \$10,136.13, US
18 Life hereby is discharged from any and all liability to Defendant Gentner based upon
19 and/or with respect to the terms of the Policy, the death benefit payable under the
20 Policy, the death of Decedent (Dr. George Gentner) and/or defendant Gentner’s
21 claim for the death benefit payable under the Policy;

22 6. That the Court, including its appropriate representative, shall pay and/or
23 distribute the \$10,136.13 interpled by US Life in this action, plus any interest
24 accrued while on deposit with the Court and minus any fees assessed by the Court,
25 to “The Gentner Decedent’s Trust, Brian H. Gentner, Trustee” c/o Brian Gentner,
26 18201 Von Karman Avenue, Suite 900, Irvine, CA 92612;

27 7. That defendant Gentner hereby is permanently restrained and/or
28 prohibited from instituting or prosecuting any proceeding in any state court, United

1 States Court or administrative tribunal against US Life based upon and/or with
2 respect to the terms of the Policy, the death benefit payable under the Policy,
3 defendant Gentner's claim for the death benefit payable under the Policy, and US
4 Life's handling of the Policy, administration of the Policy or its handling of
5 defendant Gentner's claim for the death benefit;

6 8. That a judgment of discharge in interpleader hereby is entered in favor
7 of US Life in this action as to defendant Gentner and defendant Chase; and

8 9. That all parties are to bear their own fees and costs with respect to the
9 litigation of this action, including with respect to the Stipulation for Entry of
10 Judgment of Discharge in Interpleader and for Distribution of Interpled Funds and
11 this Stipulated Judgment.

12
13 IT IS SO ORDERED AND ADJUDGED.

14
15 August 14, 2015



16
17 Honorable Andrew J. Guilford
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28