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20 **UNITED STATES DISTRICT COURT**

21 **EASTERN DISTRICT OF CALIFORNIA**

22 WESTERN RESERVE LIFE ASSURANCE) Case No. 1:14-cv-00137-LJO-GSA
COMPANY OF OHIO,)
23) STIPULATION AND ORDER FOR
Plaintiff,) DISCHARGE AND DISMISSAL WITH
24) PREJUDICE OF PLAINTIFF WESTERN
v.) RESERVE LIFE ASSURANCE COMPANY
25) OF OHIO
SUZETTE HEINRICH, JANET ALDRICH,)
26 CHRISTOPHER PITCHER, and RICHARD)
PITCHER, AND DOES 1 – 10,) The Honorable Gary S. Austin
27)
Defendants)

1 IT IS HEREBY STIPULATED, by and between plaintiff Western Reserve Life Assurance
2 Company of Ohio (“Western Reserve Life”), and defendants Suzette Heinrich, Janet Aldrich,
3 Christopher Pitcher, and Richard Pitcher:

4 1. That this Court may enter an order discharging Western Reserve Life as set forth
5 herein;

6 2. That, by reason of the death of Gregory Pitcher (“Decedent”), on or about July 29,
7 2013, a death benefit in the amount of \$156,937.27, (“the Benefit Proceeds”), became payable
8 under life insurance policy no. 014172652 (“the Policy”) issued to Decedent.

9 3. That defendants Suzanne Heinrich, Janet Aldrich, Richard Pitcher and Christopher
10 Pitcher each claim entitlement to some or all of the Benefit Proceeds and that, to date, no other
11 person or entity currently makes claim to Western Reserve Life for the Benefit Proceeds;

12 4. That Western Reserve Life was ready, willing, and able to deliver the Benefit
13 Proceeds to the person(s) legally entitled thereto. However, by reason of the actual and potential
14 competing claims to the Benefit Proceeds, Western Reserve Life did not know and was unable to
15 determine the person(s) legally entitled to them;

16 5. That concurrently with the filing of its complaint in interpleader, Western Reserve
17 Life deposited with the Clerk of this Court the Benefit Proceeds, totaling One Hundred Fifty Seven
18 Thousand, Three Hundred Thirty-Two Dollars and Eighty-Seven Cents (\$157,332.87), which
19 represents the insurance proceeds payable under the Policy, plus interest;

20 6. That having deposited the monies with the Clerk of the Court on or about January
21 30, 2014, Western Reserve Life, its predecessors, successors, affiliates, parent corporation, officers
22 and agents are fully and forever released, discharged, and acquitted from any liability of any kind or
23 nature whatsoever under the Policy or by reason of the death of Decedent as to any and all claims,
24 charges, demands, or otherwise that exist now or may arise at any time in the future;

25 7. That Western Reserve Life is entitled to fees in the amount of \$4,932.00 and costs of
26 \$1,637.06, for a total of \$6,596.06, to be paid out of the Benefit Proceeds deposited with the Clerk

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Date: April 24, 2014

GARVEY SCHUBERT BARER

By: /s/ Jennifer Gould
Jennifer Gould
Attorneys for Defendants
Suzette Heinrich
Janet Aldrich

ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.

The Clerk of Court is directed not to close this case.

IT IS SO ORDERED.

Dated: April 24, 2014

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE