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**FILED**

**DEC 15 2016**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY  DEPUTY CLERK

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MOW-N-EDGE CORPORATION, a  
California corporation,  
  
Plaintiff,  
  
v.  
  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, a  
Pennsylvania corporation,  
  
Defendants.

No. 1:14-cv-00396-DAD-EPG  
  
ORDER REGARDING DISBURSAL OF  
INTERPLEAD FUNDS  
  
(Doc. No. 40)

On December 13, 2016, the parties filed a joint stipulation and proposed order regarding the disbursement of interplead funds in this action. (Doc. No. 40.) Pursuant to the parties' stipulation, the interplead funds shall be dispersed as follows:

1. The interplead funds shall be disbursed to plaintiff;
2. Plaintiff Mow-N-Edge Corporation will locate Emma Bonilla Garcia, the beneficiary of Juan Gonzales, and establish the Juan Gonzales Memorial Trust and transfer of one-half the interplead funds to the Juan Gonzales Memorial Trust, the sole beneficiary of which shall be Emma Bonilla Garcia, in the amount of thirty-three thousand, four hundred seventy-seven dollars and twenty-four cents (\$33,477.24);

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- 1           3. Plaintiff Mow-N-Edge Corporation and defendant National Union Insurance Company  
2           of Pittsburgh, PA (“NUFIC”) shall execute a stipulation and proposed order pursuant  
3           to which the court will remit the interplead funds to plaintiff. Plaintiff will place  
4           one-half of the interplead funds into the Juan Gonzales Memorial Trust for the sole  
5           benefit of Garcia and issue monthly payments to Garcia from the trust, unless and until  
6           Garcia personally requests disbursement of the entire sum or sum remaining of the  
7           trust. The trustee shall be Michael Gene Black, who shall serve without compensation  
8           and shall manage the trust. A copy of the proposed trust documents shall be provided  
9           to NUFIC for approval prior execution of the above stipulation and proposed order to  
10          remit the interplead funds;
- 11          4. Plaintiff and NUFIC shall execute a stipulation and proposed order of dismissal of  
12          plaintiff’s first amended complaint with prejudice pursuant to Rule 41 of the Federal  
13          Rules of Civil Procedure within 5 (five) days after the payment specified in paragraph  
14          three of this order; and
- 15          5. The status conference set for December 20, 2016, at 9:30 AM in Courtroom 5 (DAD)  
16          before District Judge Dale A. Drozd is hereby vacated.

17 IT IS SO ORDERED.

18 Dated: December 15, 2016

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20 UNITED STATES DISTRICT JUDGE