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7 Attorney for Plaintiff  
8 **State Farm Life Insurance Company**

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11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**  
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14 STATE FARM LIFE INSURANCE  
15 COMPANY,

16 Plaintiff,

17 vs.

18 LUZ PATRICIA BARNETT, JENNA  
19 McCAIN and KYLE BARNETT,

20 Defendants.

Case No. 14-CV-01688-GEB-SAB

**STIPULATED JUDGMENT  
IN INTERPLEADER**

21 Having reviewed the parties' Stipulation and Order for Entry of Judgment in  
22 Interpleader, (ECF No. 18), and it appearing that plaintiff State Farm Life Insurance  
23 Company ("State Farm") has brought this action in interpleader, that this Court has  
24 jurisdiction of the parties and of the subject herein, and that good cause appears  
25 therefor,

26 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 27 1. State Farm properly filed its Complaint in Interpleader herein, and that this is  
28 a proper cause for interpleader.

- 1 2. By reason of the death of Justin Barnett (the “Decedent”) on or about July 27,  
2 2014, the total sum of \$250,024.95 (the “Proceeds”) became due and payable  
3 under State Farm’s life insurance policy number LF-2251-5400 (the “Policy”).
- 4 3. Defendant Luz Patricia Barnett, defendant Jenna McCain, and defendant Kyle  
5 Barnett each claim all or some portion of Proceeds. No other person or entity  
6 has made a claim to the Proceeds.
- 7 4. Having deposited the sum of \$252,273.67 (representing the Proceeds plus  
8 interest) with the Clerk of this Court on or about October 29, 2014, State Farm  
9 and its heirs, assigns, agents, employees, agent-employees, servants,  
10 directors, officers, attorneys, predecessors, successors, parent companies,  
11 subsidiaries, and affiliates, and each of them be and hereby are released,  
12 discharged and acquitted of and from any liability of any kind or nature  
13 whatsoever under the Policy;
- 14 5. State Farm be and hereby is awarded the sum of \$1,000.00 for the attorneys’  
15 fees and costs it incurred in connection with this action, and the Clerk of the  
16 Court be and hereby is directed to pay that sum to State Farm, from and out  
17 of the funds deposited herein, by check made payable to “State Farm Life  
18 Insurance Company” and delivered via first class mail to its attorneys of  
19 record at the following address: Pohls & Associates, Att’n: Robert R. Pohls,  
20 1550 Parkside Drive, Suite 260, Walnut Creek, California 94596;
- 21 6. Defendant Jenna McCain and defendant Kyle Barnett be and hereby are  
22 jointly the sum of \$125,636.84 as that portion of the funds deposited herein  
23 as to which defendant Luz Patricia Barnett makes no claim, and the Clerk of  
24 the Court be and hereby is directed to pay that sum jointly to defendant  
25 Jenna McCain and defendant Kyle Barnett, from and out of the funds  
26 deposited herein, by check made payable to “Len Tillem & Associates in  
27 trust for Kyle Barnett and Jenna McCain” and delivered via first class mail to  
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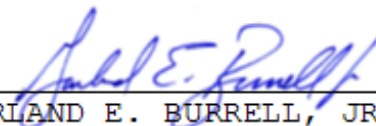
1           their attorneys of record at the following address: Len Tillem & Associates,  
2           Att'n: Audrey J. Gerard, 846 Broadway, Sonoma, California 95476;

3           7. Upon the entry of this Judgment in Interpleader, State Farm be and hereby is  
4           dismissed with prejudice from this action;

5           8. Although "the first stage of the two[-]part interpleader process [is] now  
6           complete[], [Defendants Luz Patricia Barnett, Jenna McCain, and Kyle  
7           Barnett] must . . . litigate their entitlement to the [remaining] interpled funds in  
8           the second phase of these proceedings." Prudential Ins. Co. of Amer. v. A.M.,  
9           No. 2:13-cv-00820-MCE-AC, 2014 WL 3689367, at \*2 (E.D. Cal. July 24,  
10           2014); see Mack v. Kuckenmeister, 619 F.3d 1010, 1023-24 (9th Cir. 2010)  
11           ("An interpleader action typically involves two stages. In the first stage, the  
12           district court decides whether the requirements for rule or statutory  
13           interpleader action have been met by determining if there is a single fund at  
14           issue and whether there are adverse claimants to that fund. If the district court  
15           finds that the interpleader action has been properly brought the district court  
16           will then make a determination of the respective rights of the claimants."  
17           (internal quotation marks and citations omitted)); and

18           9. Defendants shall file a joint status report no later than fourteen (14) days prior  
19           to the January 26, 2015 Status Conference, in which they shall address how  
20           each claimant intends to litigate entitlement to the remaining interpled funds  
21           and all pertinent subjects set forth in Local Rule 240.

22           Dated: December 23, 2014

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27           GARIAND E. BURRELL, JR.  
28           Senior United States District Judge