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5 Attorneys for Defendants Megan Rose, as Mother and Natural Guardian for minor Joshua Rose,  
6 Megan Rose, as Mother and Natural Guardian for minor Matthew Rose, and Megan Rose,  
Individually

7  
8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10  
11 PRUDENTIAL INSURANCE COMPANY  
12 OF AMERICA,

13 Plaintiff,

14 vs.

15 MEGAN ROSE, as Mother and Natural  
Guardian for minor JOSHUA ROSE, MEGAN  
16 ROSE, as Mother and Natural Guardian for  
minor MATTHEW ROSE, and MEGAN  
17 ROSE, Individually,

18 Defendants.

CASE NO. C-10-04808 JCS

**ORDER APPROVING DISTRIBUTION  
OF PROCEEDS OF DEATH BENEFIT**

19  
20  
21 The Case Management Conference in the above-referenced matter was held on March 18,  
22 2011. Jennifer A. Riso, Esq. appeared on behalf of Joshua Rose and Megan Rose, individually  
23 and as guardian ad litem for Matthew Rose.

24 John A. Rose was covered by a group life insurance policy issues by Prudential Insurance  
25 Company of America ("Prudential.") On February 20, 2008 Mr. Rose designated Matthew Rose  
26 as primary beneficiary under the policy. On February 20, 2008, Mr. Rose also executed a  
27 Beneficiary Designation/Change Form naming Joshua Rose as primary beneficiary of the policy.  
28

1 Mr. Rose died on December 11, 2009. Prudential subsequently filed this interpleader action as it  
2 could not factually or legally determine the beneficiary based on the circumstances.

3 On December 21, 2010, the court ordered Prudential deposit with the court a check in the  
4 amount of \$87,000.00, plus claim interest, if any, which represents the full death benefit payable  
5 under Group Life Insurance policy number G-57089 which insured the life of John A. Rose. The  
6 court further ordered that upon deposit of the check with the court, Prudential shall be dismissed  
7 from the above-referenced action and be discharged from any liability relating to the death benefit.  
8

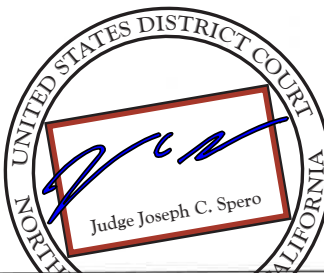
9 At the Case Management Conference, counsel for the parties informed the Court there is  
10 no dispute as to the distribution of the proceeds of the death benefit. Joshua Rose and Matthew  
11 Rose, by and through his guardian ad litem, Megan Rose have agreed and request the court  
12 distribute the funds deposited by Prudential as follows: 50% to Joshua Rose and 50% to Matthew  
13 Rose.  
14

15 The court hereby orders the funds previously deposited with the court by Prudential in the  
16 amount of \$87,000.00, plus any claim interest, be distributed in equal amounts to Joshua Rose and  
17 Matthew Rose, by and through his guardian Megan Rose. A check representing one half of the  
18 amount deposited by Prudential will be made payable to Megan Rose, as guardian ad litem to  
19 Matthew Rose and one half of the amount deposited by Prudential will be made payable to Joshua  
20 Rose.  
21

22 **IT IS SO ORDERED.**

23  
24 DATED: March 22, 2011

25  
26 By:

27   
28 JOSEPH C. SPERO  
United States Magistrate Judge