

1 Gregory G. Spaulding, Esq. (SBN 106606)  
 2 SPAULDING McCULLOUGH & TANSIL LLP  
 3 90 South E Street, Suite 200  
 4 P.O. Box 1867  
 5 Santa Rosa, CA 95402  
 Telephone: (707) 524-1900  
 Facsimile: (707) 524-1906  
[Spaulding@smlaw.com](mailto:Spaulding@smlaw.com)

6 Attorneys for Defendant MICHAEL KANYON, as Trustee of  
 7 The Thompson Living Trust Dated February 17, 2005

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11

12 CUNA MUTUAL INSURANCE SOCIETY,  
 13  
 14 Plaintiff,  
 15 vs.  
 16 MARSHAL DOUGLAS THOMPSON and  
 MICHAEL KANYON,  
 17 Defendants.  
 18

Case No.: C 11-04011 MEJ

STIPULATION AND ORDER GRANTING  
 DISCHARGE OF INTERPLEADER  
 STAKEHOLDER, CUNA MUTUAL  
 INSURANCE SOCIETY AND AWARD OF  
 ATTORNEY FEES

19  
 20 **STIPULATION**

21 Plaintiff stakeholder, CUNA MUTUAL INSURANCE SOCIETY filed a Motion to  
 22 Discharge Interpleader and Stakeholder, which is scheduled for hearing on February 2, 2012, at  
 23 10:00 a.m. in Courtroom B of the above-entitled Court, before the Honorable Maria-Elena James.  
 24 Plaintiff, by and through its counsel, Christopher Borders of Hinshaw & Culbertson, and both  
 25 Defendants, Marshall Douglas Thompson by and through his attorney Henry D. Froneberger of  
 26 Burroughs & Froneberger, and Michael Kanyon by and through his attorney Gregory G. Spaulding  
 27 of Spaulding McCullough & Tansil LLP, have now reached agreement that the Motion should be  
 28 granted, and hereby agree and stipulate as follows:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

The Court hereby Orders as follows:

- 1. Plaintiff shall retain the amount of \$6,000 (Six Thousand Dollars) from the interpled funds as full satisfaction and payment of Plaintiff's attorney fees and costs in this matter;
- 2. Plaintiff shall deposit the interpled funds remaining \$419,000 (\$425,000, less the retained amount above, \$6,000) with this Court, pending a resolution of the claims by defendants;
- 3. Plaintiff shall be discharged and relieved of all further responsibility in this matter;
- 4. Defendants are hereby enjoined form any further assertion of claims against Plaintiff relating to the interpled funds.

**IT IS SO ORDERED.**

Dated: 1/12/12

