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9 Attorneys for Plaintiff
10 JACKSON NATIONAL LIFE INSURANCE COMPANY

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 JACKSON NATIONAL LIFE INSURANCE)
14 COMPANY,)

15 Plaintiff,

16 v.

17 MONIKA M. FIMPEL; THEODORE)
18 AARONS; QUETA AARONS)

19 Defendants.

CASE NO. C13-1648 EMC

Hon. Edward M. Chen

SECOND

**AMENDED [~~PROPOSED~~] ORDER FOR
DISMISSAL WITHOUT PREJUDICE
AND RETURN OF INTERPLEADED
FUNDS**

20
21 1. Plaintiff JACKSON NATIONAL LIFE INSURANCE COMPANY (Plaintiff)
22 has filed a "Notice of Dismissal Without Prejudice" pursuant to Federal Rule of Civil Procedure
23 41(a)(1).

24 2. No Defendant in this matter has served an answer or a motion for summary
25 judgment.

26 3. Plaintiff interpleaded \$508,204.03 with the Court pursuant to 28 U.S.C. section
27 1335 and General Order No. 31, Order Regarding Deposit and Investment of Registry Funds.
28

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1 4. Therefore, Plaintiff requests that this Order be executed and entered by the Court
2 so that this entire action be dismissed without prejudice and that money in issue may be
3 dispersed to Plaintiff.

ORDER OF THE COURT

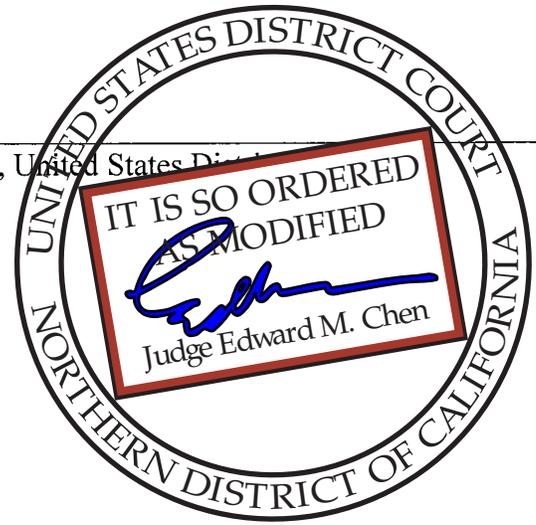
5 This action is dismissed without prejudice pursuant to Federal Rule of Civil Procedure
6 41(a)(1). Dismissal is proper as no defendant has served an answer or a motion for summary
7 judgment. Plaintiff JACKSON NATIONAL LIFE INSURANCE COMPANY (Plaintiff)
8 interpleaded ~~\$508,204.33~~ ^{\$508,204.03} with this Court. The Court orders that the amount contained in this
9 account be dispersed to “Jackson National Life Insurance Company.”

10 IT IS SO ORDERED.

11 10/21/13

12 Dated _____

12 Judge, United States District Court



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PROOF OF SERVICE

CASE NAME: JACKSON NATIONAL LIFE INSURANCE CO. v. FIMPEL, et al.
CASE NO.: USDC NORTHERN DISTRICT

I am employed in the County of Sacramento. I am over the age of eighteen years and not a party to the within above-entitled action. My business address is 2180 Harvard Street, Suite 560, Sacramento, CA 95815.

I am familiar with this office's practice whereby the mail is sealed, given the appropriate postage and placed in a designated mail collection area. Each day's mail is collected and deposited in a United States mailbox after the close of each day's business.

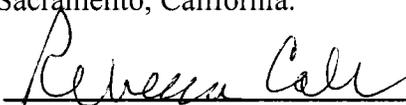
On the date listed below, I served the following: **AMENDED [PROPOSED] ORDER FOR NOTICE OF DISMISSAL WITHOUT PREJUDICE AND RETURN OF INTERPLEADED FUNDS**

- By (CM/ECF) Electronic Case File System with the United States District Court, Northern District of California, at all parties listed on the Court's proof of electronic service
- United States Mail - on all parties in said action by placing a true copy of the above described document(s) enclosed in a sealed envelope in the designated area for outgoing mail addressed as set forth below.
- By FACSIMILE (telecopier) - by personally sending to the addressee's facsimile number a true copy of the above-described document(s).
- Federal Express - on all parties in said action by placing a true copy of the above-described document(s) in an authorized area for pick-up by an authorized express service courier the same day it is collected and processed in the ordinary course of business as set forth below.
- Personal Service - By personally delivering or causing to be delivered a true copy of the above-described document to the person(s) and at the address(es) set forth as shown below.

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**Attorney for Theodore Aarons and
Oqueta Aarons**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 18, 2013, at Sacramento, California.


REBECCA CALLAHAN