

1 Richard Johnston - SBN 124524
131-A Stony Circle, Suite 500
2 Santa Rosa, California 95401
Telephone (707) 939-5299
3 Facsimile (707) 837-9532

4 Attorney for Defendants
5 Huguette Alejandra Cuadra Tijerino and
Minor Children C.M and A.M
6

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 METROPOLITAN LIFE INSURANCE)
COMPANY,)

11 Plaintiff,)

12 vs.)

13 ILIANA P. MORALES, A.M., a minor; C.M., a)
14 minor,)

15 Defendants.)
16

Case No. CV 13 3058 WHA

**NOTICE OF SETTLEMENT,
STIPULATION FOR DISMISSAL, AND
~~PROPOSED~~ ORDER THEREON**

17 TO THIS HONORABLE COURT AND TO ITS CLERK:

18 The remaining parties hereto, defendants Iliana P. Morales and Huguette
19 Alejandra Cuadra Tijerino (Ms. Cuadra), jointly submit the following notice and
20 stipulation.

21 1. Plaintiff Metropolitan Life Insurance Company initiated this interpleader
22 action, deposited the disputed funds in question with the clerk of this court, and has
23 been dismissed.

24 2. During a settlement conference conducted by Hon. Joseph C. Spero, United
25 States Magistrate Judge, on November 18, 2013, the defendants resolved their
26 dispute as to the appropriate allocation of the funds interpleaded and deposited with
27

28
NOTICE OF SETTLEMENT,
STIPULATION FOR DISMISSAL,
AND ~~PROPOSED~~ ORDER THEREON

1 the clerk by MetLife.

2 3. This entire matter has now been resolved, save only the disbursement by the
3 clerk to the respective defendants, as follows according to the aforementioned
4 settlement: the clerk is to disburse one-half of the funds deposited by MetLife to each
5 defendant, Ms. Morales and Ms. Cuadra, respectively, by tendering said funds to
6 their respective counsel of record, the undersigned.

7 4. The parties therefore stipulate to the dismissal, with prejudice, of this entire
8 action, immediately upon the clerk's conveyance of the interpleaded funds as
9 described in the foregoing paragraph, with each party to bear their own respective
10 costs and attorney fees.

11
12 Dated: November 26, 2013

13
14 S/ Richard Johnston
15 Richard Johnston
16 Attorney for Defendants
Huguette Alejandra Cuadra Tijerino and
Minor Children C.M and A.M

17 Dated: November 26, 2013

18
19 S/ Robert Sheridan
20 Robert Sheridan
21 Attorney for Defendant
Iliana P. Morales

22 ~~PROPOSED~~ ORDER

23 Good cause appearing,

24 The court approves the foregoing stipulation and orders:

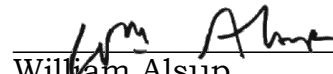
25 1. The clerk is directed to disburse the funds deposited in this matter by
26 plaintiff Metropolitan Life Insurance Company as follows:
27

- one-half of the deposited funds shall be tendered to Robert Sheridan, Esq., at said counsel's address of record, for the benefit of defendant Iliana P. Morales;
- and one-half of the deposited funds shall be tendered to Richard Johnston, Attorney at Law Trust Account, at said counsel's address of record, for the benefit of defendant Huguette Alejandra Cuadra Tijerino, in her capacity as guardian *ad litem* for the minor defendants sued herein as A.M. and C.M.

2. Upon the clerk's disbursement of the funds on deposit as directed in the foregoing paragraph, this matter is dismissed with prejudice, the parties to bear their own respective costs and attorney fees.

December 2, 2013.

Dated: ~~November __, 2013~~



William Alsup
United States District Judge