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5 Attorneys for Defendant Frank Staggars, Jr., M.D., as Trustee of the Frank E.
 Staggars, Sr., M.D. Revocable Living Trust and as Executor of the *Estate of*
 6 *Frank E. Staggars, Sr., M.D., Deceased*, Alameda County Superior Court Case
 No. RP15769612
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 AMERICAN NATIONAL INSURANCE Case No. 3:15-cv-03508-WHA
 12 COMPANY,

13 Plaintiff,

14 v.

15 ESTATE OF TERESA P. HUGHES
 a/k/a TERESA P. HUGHES-
 16 STAGGERS, FRANK STAGGERS,
 SR., FRANK STAGGERS, JR.,
 17 BARBARA STAGGERS, MICHAEL
 STAGGERS, and DOES 4 through
 18 10, inclusive,

19 Defendants.

**STIPULATION AND ORDER FOR
 RELEASE OF FUNDS DEPOSITED
 BY AMERICAN NATIONAL
 INSURANCE COMPANY PLUS
 ACCRUED INTEREST;
 DISCHARGE OF PLAINTIFF; AND
 DISMISSAL**

20 _____/
 21
 22 Plaintiff American National Insurance Company ("ANICO"), Defendant
 Estate of Teresa P. Hughes ("Defendant Hughes"), and Defendant Frank
 23 Staggars, Jr., as Trustee of the Frank E. Staggars, Sr., M.D. Revocable Living
 24 Trust and as Executor of the *Estate of Frank E. Staggars, Sr.*, Alameda County
 25 Superior Court Case No. RP15769612 ("Defendant Staggars"), by and through
 26 their respective counsel, stipulate as follows:
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1 1. On August 17, 2015, ANICO filed in this action its "First Amended
2 Complaint for Interpleader and Declaratory Relief." The subject of the First
3 Amended Complaint is WealthQuest 5 Citadel Single Premium Annuity issued
4 by ANICO having policy no. 14863570 ("Annuity").

5 2. Defendant Hughes and Defendant Staggers (collectively,
6 "Defendants") filed their respective Answers to the First Amended Complaint.

7 3. On October 29, 2015, the Honorable William Alsup issued the
8 "Order on Motion By Plaintiff American National Insurance Company To
9 Deposit Annuity Benefit Money In InterPleader; Request The Court Deposit
10 Funds In Interest-Bearing Account" ("Deposit Order").

11 4. On December 29, 2015, in accordance with the Deposit Order,
12 ANICO deposited with the United States District Court, Northern District of
13 California, the sum of \$118,862.47 representing the Annuity principal and
14 accrued interest thereon.

15 5. On February 5, 2016, the parties participated in a settlement
16 conference presided over by Magistrate Judge Donna M. Ryu, at which time
17 they settled all matters between them. In accordance with that settlement,
18 the parties stipulate and agree as follows:

19 a. **Each Party to Bear Own Fees and Expenses.** The parties shall
20 each bear their own attorney's fees and expenses in connection with this
21 action, the settlement and the Annuity;

22 b. **Mutual Release of Claims.** The parties, and each of them, for
23 themselves and on behalf of their respective present and former agents, and
24 all those claiming by, through, under or in concert with them or any of them
25 (collectively "Releasing Parties"), hereby absolutely, forever and fully,
26 generally and specifically, release and discharge each other and each of the
27 other parties respective present and former agents, and each of them,
28 (collectively the "Released Parties") from any and all claims, contentions,

1 rights, debts, liabilities, costs, expenses (including, but not limited to,
2 attorneys' fees), of any kind whatsoever (hereinafter referred to as "Claims"),
3 whether based upon contract, tort, statute or any other legal or equitable
4 theory of recovery, and whether known or unknown, with respect to,
5 pertaining to, or arising from any matters, acts, omissions, events, conduct or
6 occurrences at any time prior to February 5, 2016, including, without limiting
7 the generality of the foregoing provisions, any and all causes of action or
8 Claims referred to, or based on, ANICO's First Amended Complaint, each of
9 the Defendants' respective Answers, and with respect to the Annuity. This
10 Paragraph is referred to as the "General Release".

11 c. **Release of Unknown Claims.** Releasing Parties, and each of
12 them, acknowledge that they, or any of them, may hereafter discover Claims
13 and/or facts now unknown or unsuspected, or in addition to, or different from,
14 those which Releasing Parties now know or believe to be true with respect to
15 the General Release. Nevertheless, Releasing Parties, and each of them,
16 intend by the General Release to release fully, finally, and forever all Claims
17 released hereby.

18 d. **Payment of Annuity Proceeds.** The funds deposited by ANICO
19 with the United States District Court, Northern District of California, including
20 any accrued interest thereon, shall be paid out as follows: 55% to Frank
21 Stagers, Jr., as Trustee of the Frank E. Stagers, Sr., M.D. Revocable Living
22 Trust, and 45% to Deirdre Hill and Vincent G. Hughes, as co-executors of the
23 *Estate of Teresa P. Hughes.*

24 e. **ANICO Discharge.** ANICO is entitled to a judgment of discharge
25 in interpleader in its favor in this action and as to the Defendants.

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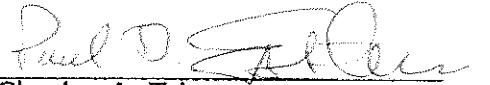
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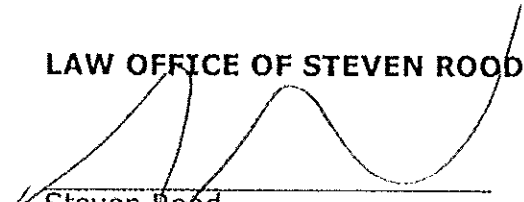
TRIAY LAW OFFICE

Date 3/14/16


Charles A. Triay
Paul D. Epstein
Counsel for Frank Staggers, Jr.

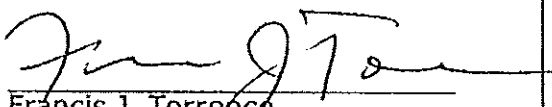
LAW OFFICE OF STEVEN ROOD

Date 3/11/16


Steven Rood
Counsel for Deirdre Hill and Vincent
G. Hughes

**WILSON ELSER MOSDOWITZ
EDELMAN & DICKER LLP**

Date 3-10-16


Francis J. Torrence
Counsel for American National
Insurance Company

ORDER

Based on the foregoing Stipulation, and good cause appearing, **IT IS
HEREBY ORDERED** that:

1. ANICO is discharged in interpleader in its favor and as to the Defendants.
2. The Clerk of the United States District Court, Northern District of California, shall pay the funds deposited by American National Insurance Company on December 29, 2015, including any accrued interest thereon, as follows:
 - a. To Frank Staggers, Jr., as Trustee of the Frank E. Staggers, Sr., M.D. Revocable Living Trust, \$65,374.36 plus 55% of any interest accrued thereon; and

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b. To Deirdre Hill and Vincent G. Hughes, as co-Executors of the *Estate of Teresa P. Hughes*, \$53,488.11 plus 45% on any interest accrued thereon.

3. Upon distribution of the funds by the Clerk as provided in Paragraph 2, above, this action is DISMISSED WITH PREJUDICE.

Date March 15, 2016.


United States District Judge