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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 GUARDIAN LIFE INSURANCE  
COMPANY OF AMERICA,

8 Plaintiff,

9 v.

10 ANN ATCHISON WATERHOUSE, et al.,

11 Defendants.

Case No. [15-cv-03271-DMR](#)

**ORDER RE: PLAINTIFF'S DEPOSIT  
INTERPLEADER FUNDS**

Re: Dkt. Nos. 5, 9

12 On July 14, 2015, Plaintiff filed a complaint in interpleader. On the same day, Plaintiff  
13 deposited interpleader funds in the amount of \$224,901.20 into the Court's registry. *See* Docket  
14 Nos. 5, 9.

15 Federal Rule of Civil Procedure 67(a) provides that "[i]f any part of the relief sought is a  
16 money judgment or the disposition of a sum of money or some other deliverable thing, a party—  
17 on notice to every other party and by leave of court—may deposit with the court all or part of the  
18 money or thing, whether or not that party claims any of it." Furthermore, "[t]he depositing party  
19 must deliver to the clerk a copy of the order permitting deposit." Fed. R. Civ. P. 67(a).

20 Plaintiff did not leave of the court prior to depositing the funds, as required by Rule 67(a).  
21 Nonetheless, the Court finds that Plaintiff's deposit of the funds into the Court's registry is  
22 otherwise proper, and the Court therefore **orders** as follows:

23 (1) Plaintiff is authorized to deposit the sum of **\$224,901.20** with the United States  
24 District Court for the Northern District of California.

25 (2) The Clerk of the Court shall deposit the funds into "an interest-bearing account or  
26 invested in a court-approved, interest-bearing instrument," *see* Fed. R. Civ. P. 67(b),

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until such time as the Court makes its order directing disbursement and distribution of these funds.

**IT IS SO ORDERED.**

Dated: July 20, 2015



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DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE