

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge R. Brooke Jackson

Civil Action No 13-cv-00700-RBJ

GUARDIAN LIFE INSURANCE COMPANY OF AMERICA,

Plaintiff,

v.

MICHAEL J. SCHMIT;
MARIANNE MCCUE;
JESSICA CHRISP, a parent and next friend of LOGAN SCHMIT; and
REBEKAH MAY, as parent and next friend of TRINITY MAY SCHMIT;

Defendants.

ORDER SETTING HEARING

This interpleader action concerns distribution of \$20,000 in life insurance proceeds resulting from the death of Robert Michael Smith. The four claimants identified by the insurer are Michael J. Schmit, the decedent's father; Marianne McCue, the decedent's mother; Jessica Chrisp, the decedent's ex-wife (and mother of the decedent's child Logan Smith); and Rebekah N. May, the decedent's ex-wife and mother of decedent's child Trinity May Schmit. Each of the four claimants was served with the summons and complaint, and each defaulted. On May 1, 2014 the Court issued an order directing the defendants to show cause as to why the Court should not distribute the interpleaded funds in four equal shares to the four claimants. In response Michael J. Schmit agrees with an equal distribution among the four claimants. [ECF No. 34]. Marianne McCue and Jessica Chrisp did not respond. Rebekah N. May responded that she believes the money should be divided equally between the decedent's two children, i.e.,

Trinity (daughter of Rebekah) and Logan (son of Jessica). Because there is a dispute, the Court sets a hearing for **July 10, 2014 at 9:00 a.m.** in the Alfred A. Arraj, U.S. District Courthouse, Courtroom A902, 9th Floor, 901 19th Street, Denver, Colorado at which time the claimants may be heard.

DATED this 23rd day of May, 2014.

BY THE COURT:

A handwritten signature in black ink, appearing to read "R. Brooke Jackson", written in a cursive style. The signature is positioned above a horizontal line.

R. Brooke Jackson
United States District Judge

CERTIFICATE OF SERVICE

I, Mary DeRosa, Judicial Assistant to the Hon. R. Brooke Jackson, hereby certify that I caused a copy of the foregoing document to be placed in a postage paid envelope addressed to the Defendants at the address stated below and deposited said envelope in the United States Mail.

Michael J. Schmit
526 Lodge Pole Place
Loveland, CO 80538

Rebekah May
(As parent and next friend of Trinity May Schmit)
5150 Brandywine Drive
Loveland, CO 80538

Jessica Chrisp
(As parent and next friend of Logan Schmit)
1606 SE "S" Street
Bentonville, AR 72712

Marianne McCue
918 South 21st
Rogers, AR 72758

Dated this 23rd day of May, 2014

/s/ Mary DeRosa

Mary DeRosa
Judicial Assistant to Hon. Brooke Jackson
U.S. District Court District of Colorado
901 19th Street
Denver, CO 80294
303-844-4694