

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

PRUDENTIAL INSURANCE COMPANY
OF AMERICA,

Plaintiff,

v.

Case No: 5:16-cv-506-Oc-30PRL

MICHELLE K. DINKINS, CAROL L.
HOFFMAN, BRENDA MICHELLE
RUCKER-PENLAND and ALISHA L.
PENLAND-KOWSKY,

Defendants.

ORDER

THIS CAUSE comes before the Court upon the Joint Motion for Interpleader of Death Benefit and Dismissal of the Prudential Insurance Company of America (Doc. 29), requesting an Order: (1) directing Prudential to distribute to the Clerk of this Court a check in the amount of \$250,000.00 ("Death Benefit"), representing life insurance proceeds that became payable upon the death of Mark E. Penland under group policy number G-32000 (the "SGLI Plan"), issued by Prudential to the Department of Veteran Affairs, through the Office of Servicemembers' Group Life Insurance, pursuant to the Servicemembers Group Life Insurance Act, 38 U.S.C. 1965 et seq., plus applicable claim interest, if any; (2) discharging Prudential of all liability, and dismissing with prejudice all claims against Prudential relating to the SGLI Plan and/or the Death Benefit; (3) permanently enjoining the Adverse Claimants from making any further actual or implied claims, demands and

causes of action, asserted or unasserted, express or implied, foreseen or unforeseen, real or imaginary, suspected or unsuspected, known or unknown, liquidated or unliquidated, of any kind or nature or description whatsoever, that Adverse Claimants, jointly and severally, ever had, presently have, may have, or claim or assert to have, or hereinafter have, may have, or claim or assert to have, against Prudential with respect to the SGLI Plan and/or the Death Benefit; and (4) dismissing Prudential from this action, with prejudice, and without costs to any party;

The Court having considered the application of the Parties, and for good cause having been shown;

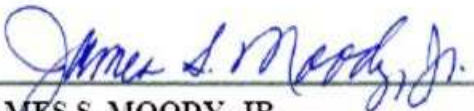
It is therefore ORDERED AND ADJUDGED that:

1. The Joint Motion (Doc. 29) is GRANTED.
2. Within 21 days of the signing of this Order by the Court, Prudential shall distribute to the Clerk of this Court a check totaling \$250,000.00, plus applicable claim interest, if any, representing the Death Benefit payable under the SGLI Plan;
3. That the Clerk of this Court shall deposit the Death Benefit distributed by Prudential into an interest-bearing account and maintain the same pending further orders of the Court;
4. That upon deposit of the Death Benefit with the Court, Prudential shall be, and hereby is, discharged from any and all liability to the Adverse Claimants relating to the SGLI Plan and/or the Death Benefit, and for the Adverse Claimants to be, and hereby are, permanently enjoined from making any further actual or implied claims, demands and causes of action, asserted or unasserted, express or implied, foreseen

or unforeseen, real or imaginary, suspected or unsuspected, known or unknown, liquidated or unliquidated, of any kind or nature or description whatsoever, that Adverse Claimants, jointly and severally, ever had, presently have, may have, or claim or assert to have, or hereinafter have, may have, or claim or assert to have, against Prudential with respect to the SGLI Plan and/or the Death Benefit; and

5. That Prudential shall be, and hereby is, dismissed from the above-captioned action with prejudice, and that any and all claims, crossclaims and/or counterclaims against Prudential relating to the SGLI Plan and/or the Death Benefit be, and the same hereby are, dismissed with prejudice; and without further costs to any party.
6. This ORDER shall be deemed a final judgment in accordance with Fed. R. Civ. P. 54(b), there being no just reason for delay.

DONE and **ORDERED** in Tampa, Florida, this 12th day of January, 2017.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record