

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

MINNESOTA LIFE INSURANCE
COMPANY,

Plaintiff,

v.

DOROTHY L. PINKSTON,
TREASURE PINKSTON STEPHENS,
and MORTICIAN'S CHOICE, LLC,

Defendants.

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CV 114-182

O R D E R

Presently before the Court is parties' Amended Joint Motion for Discharge from Liability, Permanent Injunction, Dismissal with Prejudice, and Disbursement of the Interpleader Fund. (Doc. 21.) The parties, all of whom have retained counsel, represent that they have reached an agreement as to the proper allocation of benefits under the life insurance policy of Jessie Pinkston, a/k/a Jesse Pinkston. Upon due consideration, the Court **GRANTS** the motion (doc. 21) and **ORDERS** the following:

- (1) Each party **SHALL** file an executed W-9 form within 10 **DAYS** of this Order.
- (2) Upon receipt of the executed W-9 form, the Clerk is **DIRECTED** to disburse:
 - (a) **\$6,000.00** of the funds currently being held in the Registry of the Court to "**Minnesota Life Insurance Company**" for its attorney's fees and expenses, to be mailed to:

Jennifer Noland Rathman
Smith Moore Leatherwood LLP
1180 West Peachtree Street
Suite 2300
Atlanta, Georgia 30309

- (b) \$7,356.75 of the funds currently being held in the Registry of the Court to "Mortician's Choice, LLC," to be mailed to:

Stephen V. Kinney, Esq.
Gilbert, Harrell, Sumerford & Martin, P.C.
1815 Osborne Road
St. Mary's, Georgia 31558

- (c) \$134,824.60 of the funds currently being held in the Registry of the Court, plus 70 PERCENT of any accrued interest, to "Trotter Jones, LLP, as attorneys for Dorothy L. Pinkston, individually and as Administrator of the Estate of Jessie Pinkston," to be mailed to:

James B. Trotter, Esq.
Trotter Jones, LLP
3527 Walton Way Extension
Augusta, Georgia 30909-18921

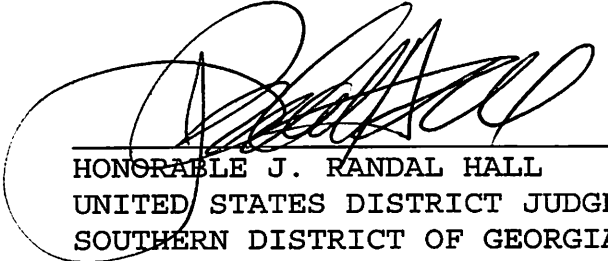
- (d) \$57,781.98 of the funds currently being held in the Registry of the Court, plus THIRTY PERCENT of any accrued interest, to "Troy A Lanier, P.C., as attorneys for Treasure Pinkston Stephens," to be mailed to:

Troy A. Lanier, Esq.
Troy A. Lanier, P.C.
P.O. Box 2426
Augusta, Georgia 30903

- (3) The Defendants are **PERMANENTLY ENJOINED** from instituting or prosecuting any other proceeding against Minnesota Life Insurance Company in any state or federal court affecting or involving the death benefits or interest payable under Policy No. 130010T, Plan Sponsor No. 33669-G due to the death of Jessie Pinkston, a/k/a Jesse Pinkston.

The parties have further have agreed to the dismissal of this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Accordingly, upon issuance of the above-described checks, all claims in this action are **DISMISSED WITH PREJUDICE**. The Clerk **SHALL** terminate all deadlines and motions and **CLOSE** the case at that time. Subject to the exception described in Paragraph 2(a), each party shall bear its own costs and attorney's fees.

ORDER ENTERED at Augusta, Georgia this 5th day of December, 2014.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA