

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

THE LINCOLN NATIONAL LIFE )  
INSURANCE COMPANY, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
CAROLYN R. RIVON and )  
CARETHA WILLIAMS, a/k/a Caretha )  
Allen, )  
 )  
Defendants.

CIVIL ACTION FILE NO.  
4:18-cv-00063-WTM-GRS

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.  
2018 OCT -9 AM 11:24  
CLERK  
SO. DIST. OF GA.

CONSENT ORDER DISMISSING LINCOLN

**THIS MATTER** comes before the Court upon notice from the parties that they have agreed for Plaintiff The Lincoln National Life Insurance Company (“Lincoln”) to be dismissed from this interpleader action with prejudice. As evidenced by the signatures of the parties’ counsel below, the parties agree and stipulate as follows:

1. On March 21, 2018, Lincoln filed this interpleader action seeking permission to deposit \$42,000.00, plus any applicable interest, by check made payable to the Clerk of this Court, representing a death benefit under a Group Life Insurance Policy bearing policy number 000010190941 issued by Lincoln to United Distributors, Inc., providing insurance on the life of Marquise Demon Allen (the “Policy”). Lincoln filed this action because there

is a dispute between Carolyn R. Rivon and Caretha Williams a/k/a Caretha Allen as to who is the proper beneficiary of the death benefit under the Policy.

2. Also on March 21, 2018, Lincoln filed a Motion to Deposit Funds into the Registry of the Court. (Doc. 3.)

3. On September 4, 2018, the Court entered an Order granting Lincoln's Motion to Deposit Funds into the Registry of the Court. (Doc. 20.)

4. On September 12, 2018, Lincoln deposited \$47,226.42, which constitutes the death benefit under the Policy plus applicable interest (the "Death Benefit"), into the Court's registry. This deposit is reflected in the Clerk's Certificate/Order and Receipt (Doc. 21.)

**IT IS THEREFORE ORDERED** as follows:

1. Lincoln, as a disinterested stakeholder, has fulfilled its obligations concerning the Death Benefit at issue in this case by depositing the sum of \$47,226.42 into the Court's registry, as reflected on Clerk's Certificate/Order and Receipt #SAV033328 (Doc. 21.);

3. Defendants in interpleader Carolina R. Rivon and Caretha Williams, a/k/a/ Caretha Allen are permanently enjoined and restrained from instituting or prosecuting any action or proceeding against Lincoln in any state or United States court with respect to the Policy, the Death Benefit, or the payment of the Death Benefit, except by way of interpleader in this action;

4. Lincoln is discharged from any and all further liability related to the Policy, the Death Benefit, or the payment of the Death Benefit; and

5. Lincoln is dismissed from this case with prejudice.

SO ORDERED, this 9<sup>th</sup> day of OCTOBER, 2018.



WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT JUDGE

Prepared and submitted by:

BRADLEY ARANT BOULT  
CUMMINGS LLP

/s/ A. Michelle Canter  
A. Michelle Canter  
Georgia Bar No. 108097  
4720 Peachtree Industrial Blvd, #106  
Norcross, GA 30071  
Phone: (205) 521-8650  
Fax: (205) 521-8800  
Email: mcanter@bradley.com

*Attorney for Plaintiff  
The Lincoln National Life Insurance  
Company*

Consented to by:

KARSMAN, MCKENZIE & HART

/s/ C. Dorian Britt  
C. Dorian Britt  
Georgia Bar No. 083259  
21 West Park Avenue  
Savannah, Georgia 31401  
(signed with express permission by A.  
Michelle Canter)

*Attorney for Defendant  
Carolyn R. Rivon*

ANDREWS & SANDERS LAW  
OFFICE

/s/ Richard A. Sanders, Jr.  
Richard A. Sanders, Jr.  
Georgia Bar No. 119508  
327 West York Street  
Savannah, Georgia 31401  
(912) 236-3020  
(signed with express permission by A.  
Michelle Canter)

*Attorney for Caretha Williams,  
a/k/a Caretha Allen*