

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LEGENCE BANK,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 15-cv-0144-MJR-DGW
)	
UNITED MINE WORKERS)	
OF AMERICA, and)	
UMWA LOCAL 5929,)	
)	
Defendants.)	

ORDER TO TURN OVER ASSETS

REAGAN, Chief District Judge:

On October 31, 2014, Legence Bank filed an interpleader complaint in the First Judicial Circuit of Saline County, Illinois, alleging that the United Mine Workers of America and the United Mine Workers of America Local 5929 had both asserted claims for funds held by Legence Bank. The state court directed the funds to be deposited with the state court clerk, dismissed Legence from the case, and ordered the parties to file answers to the interpleader. The United Mine Workers filed its claim to the funds on December 11, 2015, while Local 5929 filed its answer and a four-count complaint against the United Mine Workers of America on January 22, 2015. Local 5929’s complaint included an action for tortious interference with contract and claims invoking the federal labor statutes, so the United Mine Workers removed the case to this Court on February 10, 2015. Both parties then moved for summary judgment. On September 16, 2015, the Court granted judgment in favor of the United Mine Workers and ordered the

funds previously held in Legence Bank, which had since been deposited with the Circuit Clerk of Saline County, to be transferred to the United Mine Workers.

On December 8, 2015, the United Mine Workers filed a motion for an order to turn over interpleader assets, asking this Court to direct the Circuit Clerk of Saline County, Illinois, to turn over the funds at issue. According to the United Mine Workers, the state court was unable to turn over the funds without a clear directive from this Court. The United Mine Workers sent a copy of its motion to the Saline County Circuit Clerk and served it on Local 5929, and neither has filed any objections.

The Court has jurisdiction to entertain the motion sought by the United Mine Workers, either as a motion to enforce the Court's original transfer order or as a motion for collection. *McCall-Bey v. Franzen*, 777 F.2d 1178, 1183 (7th Cir. 1985); *Austin v. Niblick*, – F. App'x –, 2015 WL 5868803, at *1 (7th Cir. Oct. 7, 2015). No one argues against the entry of the order, and a transfer of the funds held by the Saline County Circuit Clerk is appropriate given the Court's resolution of the motions for summary judgment in favor of the United Mine Workers. Accordingly, the United Mine Workers' motion to turn over interpleader assets (Doc. 20) is **GRANTED**. It is hereby **ORDERED** that the Circuit Court of Saline County, Illinois, shall turn over and remit to United Mine Workers of America, 18354 Quantico Gateway Drive, Suite 200, Triangle, VA 22172, funds previously held in Legence Bank account nos. xxx440 and xxx246, which have since been deposited with the Circuit Clerk of Saline County, Illinois.

IT IS SO ORDERED.

DATED: January 15, 2016

/s/ Michael J. Reagan
Chief Judge Michael J. Reagan
United States District Court