

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

THRIVENT FINANCIAL FOR LUTHERANS,

Plaintiff,

vs.

**JANICE K. MOOMAW and LISA J.
KENNELL, as Co-Trustees of the Donald
D. Ruff Irrevocable Trust No. 1 Dated
December 1, 1997;**

**JANICE K. MOOMAW and LISA J.
KENNELL, as Co-Trustees of the Donald
D. Ruff Irrevocable Trust No. 1 Dated
December 3, 1997; and**

No. 16-cv-01176-DRH-DGW

**JANICE K. MOOMAW and LISA J.
KENNELL, as Co-Trustees of the Donald
D. Ruff Irrevocable Trust No. 1 Dated
January 4, 2001,**

Defendants.

ORDER & DEFAULT JUDGMENT

HERNDON, District Judge:

Pending before the Court is plaintiff Thrivent Financial for Lutherans' renewed motion to discharge plaintiff and for default judgment as to non-answering trusts (Doc. 34). With due notice having been given, the Court having

been fully advised, and a Clerk's Order of Default having previously been entered against defendants, the Court **GRANTS** the motion to discharge plaintiff and for default judgment as to non-answering trusts.

Therefore, it is **ORDERED, ADJUDGED, and DECREED** that:

1. Defendants and their heirs, assigns, and beneficiaries are restrained and enjoined from instituting or prosecuting any action, claim, or proceeding against Plaintiff for the proceeds of Contract Number 3184544, issued on the life of Donald D. Ruff ("the Contract");
2. Plaintiff is released and discharged from any and all liability to the Defendants and their heirs, assigns, and beneficiaries relating in any way to the Contract;
3. Defendants Janice K. Moomaw and Lisa J. Kennell, as Co-Trustees of the Donald D. Ruff Irrevocable Trust No. 1 Dated December 3, 1997 are directed to litigate their claims for the Contract proceeds in this action.

Accordingly, pursuant to FEDERAL RULE OF CIVIL PROCEDURE 55(b), the Court **GRANTS** plaintiff's Renewed Motion for Discharge and for Default Judgment as to Non-Answering Trusts (Doc. 34).

The Clerk is **DIRECTED** to enter default judgment against Defendants Janice K. Moomaw and Lisa J. Kennell, as Co-Trustees of the Donald D. Ruff Irrevocable Trust No. 1 Dated December 1, 1997, and Defendants Janice K.

Moomaw and Lisa J. Kennell, as Co-Trustees of the Donald D. Ruff Irrevocable Trust No. 1 Dated January 4, 2001, for failing to plead or otherwise defend.

IT IS SO ORDERED.

Signed this 9th day of February, 2017.

 Digitally signed by
Judge David R.
Herndon
Date: 2017.02.09
15:39:49 -06'00'

United States District Judge