

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

CIVIL ACTION NO. 5:09-cv-107-KSF

JAMES H. LIMBRIGHT, et al.

PLAINTIFFS

vs.

OPINION AND ORDER

GEORGE HOFMEISTER, et al.

DEFENDANTS

* * * * *

This matter is before the Court on the motion of Megan Hofmeister, Scott Hofmeister, and Jamie Hofmeister (the Hofmeister “Children”) to deposit funds into Court pursuant to Fed. R. Civ. P. 67 on the ground that there is a dispute among Plaintiffs and their counsel regarding to whom payment should be made. Accordingly, the Children request that they be permitted to deposit the amount of \$194,989.47, plus any additional accrued interest to the date of deposit in the Court’s interest-bearing account and be relieved from any further obligation with respect to those judgments. Funds will be disbursed from the account pursuant to Court order following resolution of the dispute regarding the proper recipients of the payment. Having considered the motion and the response thereto,

IT IS ORDERED:

1. The Children’s motion to deposit funds and accrued interest into court [DE 258] is **GRANTED**;
2. The Clerk shall cause the deposited monies to be invested in the Court Registry Investment System;
3. Pursuant to the directive of the Judicial Conference of the United States, the Clerk shall deduct a Registry Fee equal to 10 percent of the interest earned for the first five years, 7.5 percent for the next five years; 5 percent for the next five years, and no less than 2 percent thereafter.

4. The Clerk shall deduct the registry fee prior to the disbursement of funds without further orders of the Court;
5. Plaintiffs shall be responsible for any fees associated with maintaining the court deposit;
6. Upon receipt of notice of the deposit , the Court will enter an order that the Children have fully satisfied certain judgments to Plaintiffs and are relieved from any further obligation for those judgments, but are not relieved from any obligation regarding the Judgment entered by this Court on October 18, 2012.

This November 2, 2012.



Signed By:

Karl S. Forester *K S F*

United States Senior Judge