

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:04CV-608-H

AMERICAN GENERAL LIFE AND
ACCIDENT INSURANCE CO.

PLAINTIFF

V.

WILLIAM I. HARDIN, et al.

DEFENDANT
S

MEMORANDUM OPINION AND ORDER

This is an interpleader action filed by American General Life and Accident Insurance Co. (“American General”) to determine the legal entitlement to the proceeds of a family cancer expense plan issued to William I. Hardin (“Hardin”).

Hardin received treatment for cancer and American General has deposited \$33,113.63 in the Court registry for payment of expenses. All potential claimants have been notified. The Court allowed American General attorney’s fees in the amount of \$2,884.68 and payment to the State of Indiana in the amount of \$5,187.47. The University of Louisville Hospital (“U of L”) has made a claim for \$20,425.27. The Court has received no other claims.

Hardin objects to U of L’s claim on the grounds that its assignment was invalid and its claim is late. However, the assignment is valid, the claim is appropriate and the timeliness not a disqualifying factor. U of L is entitled to reimbursement from the insurance proceeds.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that U of L is entitled to payment in the amount of \$20,425.27 from the Court registry.

IT IS FURTHER ORDERED that all remaining funds be paid directly to William L. Hardin.

This is a final and appealable order.

cc: Counsel of Record
William I. Hardin, Defendant