

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

CHARLES SCHWAB & CO., INC.

CIVIL ACTION

VERSUS

NO. 18-2522

REGINA B. HEISLER, ET AL.

SECTION "B"(3)

ORDER

Considering Plaintiff's "Ex Parte Motion for Order of Interpleader" (Rec. Doc. 3),

**IT IS ORDERED** that the motion is **GRANTED** insofar as Plaintiff, having notified Defendants of the instant motion via e-mail, seeks authorization to deposit three hundred thirty thousand, seven hundred ninety dollars and ninety-three cents (\$330,790.93) into the registry of the Court (see Fed. R. Civ. P. 67(a); LR 67.2) and **DENIED AS PREMATURE** in all other respects. The other questions raised by Plaintiff's motion, such as whether interpleader is appropriate and whether other proceedings should be enjoined, are best addressed in a properly noticed motion that allows Defendants, after they have been served and made an appearance, an opportunity to be heard. See *Rhoades v. Casey*, 196 F.3d 592, 600-01 (5th Cir. 1999); see also 7 Wright & Miller, Federal Practice & Procedure

§ 1714 (3d ed. 2017) ("The decision whether interpleader is appropriate is made by the court, but only after all parties have been given notice and an opportunity to be heard on the question.").

New Orleans, Louisiana, this 12th day of March, 2018.

A handwritten signature in black ink, appearing to read "L. J. ...", written over a horizontal line.

SENIOR UNITED STATES DISTRICT JUDGE