

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

DEBBIE MCCARTY

CIVIL ACTION

VERSUS

DATRIL JAYVIA DUNBAR, ET AL.

NO. 19-00800-BAJ-SDJ

RULING AND ORDER

Before the Court is the **First Amended Motion For Leave To File Intervention And File Counterclaim And Third-Party Demand For Statutory Interpleader (Doc. 51)**, filed by putative Intervenor Lancer Insurance Company (“Lancer”). The Magistrate Judge has issued a Report and Recommendation (Doc. 54), recommending that Lancer’s Motion be granted to the extent Lancer seeks leave to intervene, and to deposit the insurance proceeds at issue into the Court’s registry, but that Lancer’s motion be denied as premature to the extent Lancer seeks discharge and injunctive relief barring future claims against Lancer. There are no objections to the Magistrate Judge’s Report and Recommendation.

Having carefully considered Lancer’s motion and related filings, the Court **APPROVES** the Magistrate Judge’s Report and Recommendation and **ADOPTS** it as the Court’s opinion in this matter.

Accordingly,

IT IS ORDERED that Lancer’s First Amended Motion For Leave To File Intervention And File Counterclaim And Third-Party Demand For Statutory

Interpleader (Doc. 51) is **GRANTED IN PART**, and that Lancer shall be permitted to file its **Amended Counterclaim For Interpleader (Doc. 51-3)** and **Amended Third-Party Demand in Interpleader (Doc. 51-4)**. The Clerk of Court shall enter these proposed pleadings as separate docket entries.

IT IS FURTHER ORDERED that Lancer shall deposit the insurance proceeds at issue into the Court's registry in accordance with Local Rule 67 and Rule 67 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that Lancer's requests for injunctive relief and discharge are **DENIED WITHOUT PREJUDICE**, subject to Lancer's right to re-urge its requests after the interpleader funds have been deposited and all claimants have made an appearance.

Baton Rouge, Louisiana, this 6th day of January, 2021



JUDGE BRIAN A. JACKSON
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA