

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

USAA LIFE INSURANCE
COMPANY,
Plaintiff/Interpleader,

Case No.: 2010-cv-11744-PJD-RSW
Hon. Patrick J. Duggan

THE CONRAD T. COEN REVOCABLE
LIVING TRUST, CHRISTOPHER COEN,
STEPHEN C. ALBERY, and CLAUDIA
FREEDMAN,
Defendants.

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Stephen C. Albery (P 36121)
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ORDER GRANTING DEFENDANT STEPHEN C. ALBERY'S
MOTION FOR SUMMARY JUDGMENT

At a session of said court, held in the
United States Courthouse, in the City of
Detroit, State of Michigan, on February 4, 2011.
PRESENT: THE HONORABLE PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

The Motion by Defendant, Stephen C. Albery for Summary Judgment came before the court for hearing on December 15, 2010. Notice of the hearing was served on each of the parties by the Court on November 19, 2010. The Court considered the motions, briefs, authorities and exhibits filed and presented by the Moving Party, Defendant Mr. Albery; Plaintiff in Interpleader, USAA Life Insurance Company ("USAA"); and Defendant Christopher Coen. The Court heard the arguments and discussion by counsel for USAA and Mr. Albery. Mr. Coen submitted extensive written briefs, arguments and exhibits, but did not appear at the hearing.

The court considered Mr. Coen's submissions, and those of all the other parties. The court being otherwise fully informed on the premises orders as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Interpleader requested by USAA Life Insurance Company is GRANTED.

IT IS FURTHER ORDERED that Defendant Stephen Albery's Motion for Summary Judgment is GRANTED for the reasons stated on the record.

IT IS FURTHER ORDERED that Stephen Albery, Receiver appointed by the Oakland County Probate Court, is hereby vested with the full authority to stand in the place of Christopher Coen and act in his stead and capacity with respect to all matters related to the USAA Personal Pension Annuity at issue in this matter. Mr. Albery may make any request, execute any document or contract or modify the USAA Annuity Contract to make any distribution, withdrawal, liquidation, or any other dispensation with respect to the Annuity funds as if he were Christopher Coen, and USAA shall comply with any such actions or requests by Mr. Albery as if he were Christopher Coen, in order to effectuate the orders entered by the Oakland County Probate Court.

s/Patrick J. Duggan
Patrick J. Duggan
United States District Judge

Dated: February 4, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 4, 2011, by electronic and/or ordinary mail.

s/Marilyn Orem
Case Manager

Dated: February 4, 2011

/s/
Ebony Duff

/s/
Stephen C. Albery