

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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JACKSON NATIONAL LIFE  
INSURANCE COMPANY,

Civil No. 09-1024 (JRT/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

WORKMAN SECURITIES  
CORPORATION,

Defendant.

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Shane H. Anderson, Mychal A. Bruggeman, and Timothy J. Grande,  
**MACKALL, CROUNSE & MOORE, PLC**, 901 Marquette Avenue, Suite  
1400, Minneapolis, MN 55402, for plaintiff.

Benjamin R. Skjold, Christopher P. Parrington, and Ryan P. Meyers,  
**SKJOLD BARTHEL, PA**, 222 Ninth Street South, Suite 3220, Minneapolis,  
MN 55402, for defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated October 7, 2011 [Docket No. 161]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Counts III, IV and V are **DISMISSED without prejudice**;
2. Judgment is entered on behalf of Plaintiff in the amount of \$362,508.28 plus prejudgment interest in the amount of \$93,656.76 as of August 30,

2011, with interest continuing to accrue at the rate of \$99.317 per day until the date of judgment; and

3. Plaintiff is awarded attorney's fees of \$149,317.50 and expenses of \$12,303.93, for a total of \$161,621.43.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: October 31, 2011  
at Minneapolis, Minnesota

s/ John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge