

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

TRUSTMARK INSURANCE COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO: 1:18-CV-00042-SA-DAS

**TERESA ANNE BUTLER, CYNTHIA
HOLMES COMER, and NICKI JEAN WICKLINE,
As CO-EXECUTORS of the ESTATE OF TRACIE
PLAXICO, and DUNCAN LEE PLAXICO**

DEFENDANTS

AGREED FINAL JUDGMENT

Presently before the Court is the Complaint in Interpleader filed by Trustmark Insurance Company and Trustmark's Motion to Interplead Funds and to Dismiss (Doc. 9). The Court is advised the Parties have reached an Agreement resolving all issues in this matter. Accordingly,

IT IS HEREBY ORDERED that Trustmark Insurance Company shall pay the death benefit proceeds of life insurance policy JHD4BD (the "Disputed Proceeds") in the amount of \$25,000 plus accrued interest to the Clerk of Court;

THIS COURT FINDS AND CONCLUDES that the funds to be deposited are interpleader funds, or other funds which qualify as "disputed ownership funds" as that term is defined by the Internal Revenue Service (26 C.F.R. §1.468B-9(b)(1)). Accordingly, the Administrative Office of the United States Courts is hereby authorized and directed to administer the funds, charge fees, and withhold and pay taxes, under its Disputed Ownership Funds system. (CRIS DOF);

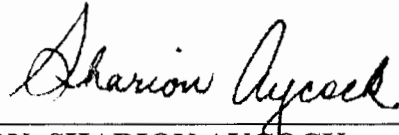
IT IS FURTHER ORDERED that upon deposit of the Disputed Proceeds, Trustmark Insurance Company is hereby dismissed from this action and discharged from all further liability as to any claimants relating in any way to the Policy at issue and that Defendants, their agents, attorneys, representatives, heirs, executors, assigns, and all persons claiming through or under

them, are permanently enjoined and restrained from instituting or pursuing any state or federal court action for the recovery of the Disputed Proceeds or relating in any way to Trustmark Insurance Company's actions with respect to the handling of this insurance claim;

IT IS FURTHER ORDERED that the Clerk of Court shall, upon receipt of the Disputed Proceeds, pay the Disputed Proceeds to the Estate of Tracie Plaxico for proper disposition in the Estate administration proceeding pending in Mississippi State Court. Thereafter, all other claims to the Disputed Proceeds shall be dismissed with prejudice.

IT IS FURTHER ORDERED that each Party to this proceeding shall be responsible for its own attorneys' fees and costs.

This **CASE** is **CLOSED**.



HON. SHARION AYCOCK
UNITED STATES DISTRICT JUDGE

July 11, 2018

AGREED AND APPROVED FOR ENTRY:

/s/ Jason A. Walters
Attorney for Trustmark Insurance Company

/s/ R. Shane McLaughlin
Attorney for Teresa Anne Butler,
Cynthia Holmes Comer and Nicki Jean
Wickline, as Co-Executors of the Estate of
Tracie Plaxico

/s/Candace Cooper Blalock
Candace Cooper Blalock
Attorney for Duncan Lee Plaxico