

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

ATHENE ANNUITY AND LIFE COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 1:19-CV-230-MPM-DAS

**ROBERT BOWERS, AS ADMINISTRATOR OF
THE ESTATE OF SANDRA LYNN BOLLINGER
AND ALICE MOONEY**

DEFENDANTS

**AGREED ORDER APPROVING TRANSFER OF STRUCTURED SETTLEMENT
PAYMENT RIGHTS AND DISMISSING MATTER WITH PREJUDICE**

THIS DAY this matter came before the Court on the *ore tenus* request of all parties, jointly, to approve the transfer of structured settlement payment rights and to dismiss this matter with prejudice, and the Court, being fully advised in the premises and of the agreement of all parties, does hereby find as follows:

1. This is an action arising with the request for Plaintiff for this Court's determination as to the appropriate payee for an annuity held by D. Larry Mooney, deceased.
2. The parties engaged in an extensive settlement conference, conducted by Magistrate Judge David Sanders. At the conclusion of that settlement conference, an agreement was reached regarding disbursement of the annuity proceeds.
3. That agreement contemplates that Plaintiff, Athene Annuity and Life Company, will accelerate payment of the entirety of the remainder of the annuity payments and will commute the remaining payments to \$171,000.00.
4. Of this \$171,000.00, Athene shall receive \$5,000.00 in complete satisfaction of its claim for attorney's fees, Alice Mooney shall receive \$12,500.00, and the remainder of the proceeds, \$153,500.00, shall be paid to the Estate of Sandra Bollinger, Deceased, to be

disbursed in accordance with appropriate order by the Court presiding over that Estate matter.

5. Pursuant to Miss. Code Ann. § 11-57-7, this Court hereby finds that the transfer should be approved as agreed by the parties.
6. As the settlement has now been approved, the Court does hereby find that this matter should be dismissed with prejudice and that it may now be fully and finally closed.

SO ORDERED, this the 9th day of September, 2020.


UNITED STATES DISTRICT COURT JUDGE

AGREED AS TO FORM AND CONTENT:

/s/ Jenessa Carter Hicks
David E. Rozier, Jr. (MSB #5712)
Jenessa Carter Hicks (MSB #103287)
Counsel for the Estate of Sandra Bolinger

/s/ Stephen Harris
Stephen Harris (*Pro Hac Vice*)
Counsel for Athene Annuity and Life Company

/s/ Elizabeth Fox Ausbern
Elizabeth Fox Ausbern
Counsel for Alice Mooney