

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KOZENY & MCCUBBIN, L.C.,)
)
 Plaintiff,)
)
 vs.)
)
 THE ESTATE OF DEBORAH L. HALL,)
 et al.,)
)
 Defendants.)

Case No. 4:11CV970 RWS

MEMORANDUM AND ORDER

This interpleader action is before the court on plaintiff Kozeny & McCubbin, LC’s motion to deposit funds and for attorneys’ fees and costs. Defendant United States of America does not oppose the request for fees and costs on the ground that there are sufficient interpleaded funds to award attorneys’ fees and costs to the plaintiff without any possibility of decreasing the remaining amount that will be used to satisfy the federal tax lien . All other defendants have now been served and are apparently in default except for claimant Shannon Hall, who only seeks “any money that is left over.” The Court says “apparently” because plaintiff must still demonstrate that service by publication has been accomplished on the unknown heirs of Deborah Hall through an appropriate motion for entry of default before the Court can grant its motion.

Accordingly,

IT IS HEREBY ORDERED that the plaintiff shall move for entry of default against defendant unknown heirs of Deborah Hall, accompanied by all necessary affidavits and exhibits.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 9th day of April, 2012.