

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TERESA BALLARD,

Plaintiff,

vs.

PATRICK K. CAIN,

Defendant.

8:11CV411

ORDER

This matter is before the Court on the parties' Stipulation to Dismiss (Filing No. 82), and the Court being fully advised in the premises,

IT IS ORDERED:

1. The parties' Stipulation to Dismiss (Filing No. 82) is adopted as follows. The Complaint of Interpleader, Answers, and Counterclaims filed herein are dismissed with prejudice, each party to pay its own costs, complete record waived.

2. The Clerk shall disburse a check on the funds deposited in the Court Registry in the amount of Seventy-Eight Thousand One-Hundred Sixty one dollars and 81/100ths (\$78,161.81) in principal plus any accrued interest on said amount, less the fee authorized by NECivR 67, made payable to Patrick K. Cain and Richard J. Henkenius, his attorney, and to mail said funds to Richard J. Henkenius, 209 S. 19th Street, Suite 400, Omaha, NE 68102.

3. The Clerk shall disburse a check on the funds deposited in the Court Registry in the amount of Seventy-Eight Thousand One-Hundred Sixty One and 81/100ths (\$78,161.81) in principal plus an accrued interest on said amount, less the fee authorized by NECivR 67, made payable to Teresa Ballard, Personal Representative of the Estate of Evelyn Rose Cain and Thomas J. Lund, her attorney, and to mail said funds to Thomas J. Lund, Fogarty, Lund & Gross, 1904 Farnam Street, Suite 700, Omaha, NE 68102.

4. The Clerk shall disburse the checks as set forth above upon receipt of the tax identification numbers for Richard J. Henkenius and Thomas J. Lund, Fogarty, Lund & Gross.

Dated this 1st day of October, 2013.

BY THE COURT:
s/ Thomas D. Thalken
United States Magistrate Judge