

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID KUSEK,

Plaintiff and
Counter-Defendant,

vs.

PRINCIPAL FINANCIAL GROUP, A
CORPORATION,

Defendant,
Counterclaimant,
and Third-Party
Plaintiff,

vs.

THE ESTATE OF KARLA KUSEK, et
al.,

Third-Party
Defendants and
Counterclaimants.

8:16-CV-275

ORDER

This matter is before the Court on the parties' Stipulation for Entry of Decree of Interpleader ([filing 45](#)). Being fully advised in the premises; and in light of the amended answer ([filing 43](#)) filed by counterclaimants Kyle, Kenzie, and Katie Kloke; the Court will grant the stipulation. Therefore,

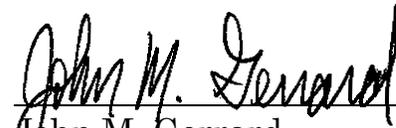
IT IS ORDERED:

1. The parties' Stipulation for Entry of Decree of Interpleader ([filing 45](#)) is granted.
2. Principal Life Insurance Company shall hold all funds maintained in decedent Karla Kusek's 401(k) account until further order of the Court.

3. Principal Life Insurance Company shall produce all documents in connection with the decedent's group universal life insurance policy and all documents concerning and related to the decedent's 401(k) account, including its claim file, on or before May 3, 2017.
4. Principal Life Insurance Company shall be discharged from any and all liability, arising out of the decedent's employee welfare benefit plan and the life insurance policy and 401(k) plan described above, as arising out of the decedent's death.
5. Principal Life Insurance Company is dismissed as a party to this action with prejudice.
6. David Kusek's claims against Principal Life Insurance Company, and Principal Life Insurance Company's claims against the third-party defendants and against David Kusek, are dismissed. Counterclaimants Katie, Kenzie, and Kyle Kloke's counterclaim against counter-defendant David Kusek remains pending.
7. The remaining parties to this case shall litigate their claims and contentions regarding the proceeds from the life insurance policy and 401(k) funds without further involvement of Principal Life Insurance Company.

Dated this 3rd day of April, 2017.

BY THE COURT:



John M. Gerrard
United States District Judge