

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**LIFE INSURANCE COMPANY OF NORTH  
AMERICA**

**vs.**

**CASE NUMBER: 6:09-CV-11  
(Lead)**

**JAN NESOM; MICHAEL STRANEY; J.S.,  
a minor; JOANNE STRANEY; and RACHEL  
STRANEY**

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**NORTH AMERICAN COMPANY FOR LIFE  
AND HEALTH INSURANCE**

**vs.**

**CASE NUMBER: 6:09-CV-1118  
(Member)**

**JAN NESOM; MICHAEL STRANEY; RACHEL  
STRANEY; JOANNE STRANEY; JEFFREY  
ALAN STRANEY; NAOMI P. STRANEY,  
individually and as Trustee; and CHARLES  
THOMAS STRANEY, Trustee**

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Straney defendant's motion for summary judgment is DENIED; Nesom's cross motion for summary judgment is GRANTED. Proceeds from North American Company for Life and Health Insurance held by the Clerk of the Middle District Court in Florida will be disbursed as follows: Fifty percent (50%) to Jan Nesom, Twenty-five percent (25%) to Michael Straney or his trustee, and Twenty-five percent (25%) to Jeffrey Straney or his trustee; and

Proceeds from Life Insurance Company of North America held by the Clerk of this Court will be disbursed as follows: Seventy-four percent (74%) to Jan Nesom, Thirteen percent (13%) to Michael Straney or his trustee, and Thirteen percent (13%) to Jeffrey Straney or his trustee.

The Clerk of the Court shall retain the funds pending further order of this Court.

All of the above pursuant to the order of the Honorable Judge DAVID N. HURD, dated the 30<sup>th</sup> day of July, 2010.

DATED: July 30, 2010

  
Clerk of Court

s/  
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Christine Mergenthaler  
Deputy Clerk