

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION

Unum Life Insurance Company of America, )  
)  
)  
Plaintiff, )  
)  
v. )  
)  
Jacob Whitfield, and )  
L.W., a minor, through his Guardian Ad Litem, )  
)  
Defendants. )  
)

**JUDGMENT**

No. 2:12-CV-66-BR

**Decision by Court.**

This action came before Senior United States District Judge W. Earl Britt on plaintiff's motion for default judgment against defendant Jacob Whitfield and for dismissal and an award of fees and costs.

Plaintiff's motion is allowed in part.

**IT IS ORDERED, ADJUDGED AND DECREED** that:

1. The Clerk disburse the sum of \$111,716.34 to Ralph G. Willey, III as guardian ad litem for L.W., P.O. Box 7846, Rocky Mount, NC 27804-7846;
2. Within 10 days hereof, the guardian ad litem file with the court a motion for approval of reasonable fees and costs (with appropriate supporting documentation) he seeks to have deducted from the proceeds payable to L.W.;
3. If the guardian ad litem does not file a motion for approval within 10 days, he shall disburse the entire \$111,716.34 for the benefit of L.W.;
4. Plaintiff shall not recover any fees and costs from the interpleader funds;
5. Plaintiff is discharged from any further liability under its insurance policies by reason of the death of Brian Whitfield and is **DISMISSED WITH PREJUDICE**; and,
6. The Clerk enter judgment in favor of L.W. and against Whitfield and close this case.

**This judgment filed and entered on April 9, 2014, and served on:**

George K. Evans, Jr. (Via CM/ECF Notice of Electronic Filing)

Ralph Gibbon Willey, III (Via CM/ECF Notice of Electronic Filing)

April 9, 2014

/s/ Julie A. Richards,  
Clerk of Court