

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04cv247-MU

FILED
CHARLOTTE, NC

JUN 08 2011

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNUM LIFE INSURANCE COMPANY)
OF AMERICA,)

Plaintiff,)

v.)

DERRICK MACK, et al.,)
Defendants.)

Order

THIS MATTER comes before the Court on Defendant Patricia Nichols, individually and as Administratrix of the Estate of Tasha Nichols Mack, and Defendant Melvin Nichols' Motion for Summary Judgment against Defendant Derrick Mack in this interpleader action (Doc. No. 53). The Court, having determined that Summary Judgment against Defendant Derrick Mack is appropriate, is prepared to enter an Order directing payment of Tasha Nichol's insurance policy be distributed directly to and equally between Patricia and Melvin Nichols, rather than the Estate.

IT IS THEREFORE ORDERED that should Plaintiff UNUM Life Insurance Company find any fault with this proposed Order, it is to file a response showing cause why the Order should not be entered. If no response is filed within 10 days, the Court will distribute to Patricia and Melvin Nichols the \$294, 470.67 deposited with the Court.

Signed: June 8, 2011



Title of Signing Officer
United States District Court

