

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Randall and Cathy Hickel,)
)
Plaintiffs,)
)
v.)
)
)
Continental Western Insurance Co.)
and Chelsea Seybold and Dylan)
Seybold, the Heirs at Law of James)
Seybold, deceased, Diane Lanoil as)
Personal Representative of the Estate)
Of James Seybold,)
)
Defendants.)

**ENTRY OF JUDGMENT
PURSUANT TO FED. R. CIV. P. 58**

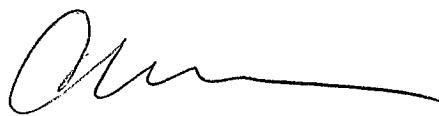
Case No. 1:10-cv-080-CSM

The Court, having reviewed the Motion for Entry of Judgment Pursuant to Fed. R. C. P. 58 and being fully informed in the matter does hereby find that the parties have reached a stipulation for judgment and distribution of the \$1,026,500.00 which Continental Western Insurance Company has paid to pay into the registry of the Court. Based on the foregoing, it is hereby **ORDERED** as follows:

1. Judgment is entered in favor of parties as follows:
 - (a) \$650,000.00 in liability proceeds to Randall Hickel and Cathy Hickel;
 - (b) \$174,995.00 in liability proceeds to Chelsea Seybold;
 - (c) \$174,995.00 in liability proceeds to Dylan Seybold, minor, in his individual capacity by and through his natural parent and guardian, Crystal Seybold;
 - (d) \$13,250.00 in PIP proceeds to Chelsea Seybold;

- (e) \$13,250.00 in PIP proceeds to Dylan Seybold, minor, in his individual capacity by and through his natural parent and guardian, Crystal Seybold;
 - (f) \$10.00 to the Estate of James Seybold, by and through the Personal Representative, Diane Lanoil.
2. Continental Western Insurance Co., having deposited the above funds, no longer has any obligation and is hereby **DISMISSED** with prejudice.
3. Pursuant to the distribution set forth above, the Court will issue checks from the registry of the Court in accordance with the mailing instructions submitted by the parties, holding in the registry of the Court, \$174,995.00 in liability proceeds and \$13,250.00 in PIP proceeds pending the court's approval of the conditions of payment to Dylan Seybold, a minor, the court having concluded that the gross amount of the settlement is in the best interest of the minor.
- (a) The check for \$650,000.00 in liability proceeds for Randall and Hickel and Cathy Hickel shall be made payable to "Maring Williams Law Office, P.C. IOLTA Trust Account for the Benefit of Randall and Cathy Hickel."
 - (b) The check for \$174,995.00 in liability proceeds for Chelsea Seybold shall be made payable to "Chelsea Seybold and Killian & Davis, P.C."
 - (c) The check for \$13,250.00 in PIP proceeds for Chelsea Seybold shall be made payable to "Chelsea Seybold and Killian & Davis, P.C."
 - (d) The check for \$10.00 for the Estate of James Seybold, shall be made payable to "Diane Lanoil, as personal representative of the Estate of James Seybold and Killian & Davis, P.C."

Dated this 2nd day of November, 2011.



Charles S. Miller, Jr., Magistrate Judge
United States District Court