

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

Florence Davis a/k/a Midge Davis, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Calvin Mattingley and Nancy Mattingley, )  
 )  
 Defendants. )  
 )  
 EMCASCO Insurance Company, )  
 )  
 Interpleader. )

**ORDER ADOPTING STIPULATION  
FOR BIFURCATION OF ISSUES FOR  
TRIAL**

Case No. 1:17-cv-193

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On February 1, 2019, the parties filed a “Stipulation to Bifurcation of Issues for Trial and Waiver of Right to Trial on Interpleader.” The court **ADOPTS** the stipulation (Doc. No. 59). The jury trial on all issues set forth in plaintiff’s Complaint and defendants’ Answer and Counterclaim shall proceed as scheduled on October 28, 2019. A bench trial of all issues set forth in EMCASCO Insurance Company First Amended Complaint for Declaratory Judgment and/or Interpleader and well as any other matters arising therefrom shall be scheduled at a later date.

**IT IS SO ORDERED.**

Dated this 6th day of February, 2019.

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