

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SUN LIFE ASSURANCE
COMPANY OF CANADA,

Plaintiff,

v.

RICHARD E. JACKSON, *et al.*,
Defendants.

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Case No. 3:14-cv-41

JUDGE WALTER H. RICE

ENTRY SUSTAINING THE MOTION FOR VOLUNTARY DISMISSAL OF
COUNT III OF PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE (DOC.
#41) FILED BY PLAINTIFF SUN LIFE ASSURANCE COMPANY OF
CANADA

On February 9, 2015, the Court ordered the parties to brief the issue of the viability of the interpleader claim stated by Sun Life Assurance Company of Canada ("Plaintiff" or "Sun Life") in Count III of its Complaint (Doc. #1). Doc. #40. On February 25, 2015, Plaintiff filed a Memorandum Regarding its Interpleader Claim and Motion for Voluntary Dismissal of Count III of Plaintiff's Complaint Without Prejudice. Doc. #41. Therein, Plaintiff stated that it "agrees with this Court's preliminary assessment that given the fact that the funds have not been deposited with the Court registry and it is not likely that they will be deposited with the Court in light of Mr. Jackson's representation that they have been dissipated, Sun

Life's interpleader claim at Count III is not applicable at this time." Doc. #41 at 2.
In light of this concession, the Court SUSTAINS Plaintiff's motion and DISMISSES
WITHOUT PREJUDICE its Interpleader Claim, Count III of the Complaint (Doc. #1).

Date: June 2, 2015



WALTER H. RICE
UNITED STATES DISTRICT JUDGE