

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)**

MINNESOTA LIFE INSURANCE
COMPANY

Plaintiff,

vs.

JERRY A. GLASSBURN, *et al.*,

Defendants.

) CASE NO.: 3:17-cv-00133-WHR
)
) JUDGE WALTER H. RICE
)
)
) MAGISTRATE JUDGE MICHAEL R. MERZ
)
)
) **ENTRY OF DEFAULT JUDGMENT**
)

This matter came for consideration on a Motion for Default Judgment Pursuant to Fed. R. Civ. P. 55(b)(2) filed by Plaintiff Minnesota Life Insurance Company (“MLIC”) against Defendant James L. Johnson (“Mr. Johnson”). Upon due consideration, the Court finds the Motion well-taken.

It is therefore ORDERED, ADJUDGED, and DECREED that judgment is rendered in favor of MLIC and against Mr. Johnson. As such, MLIC may deposit the \$128,000.00, plus applicable interest, (the “Benefits”) due under the applicable life insurance policy (Trust Policy No. 30287T, Sponsor No. 50183, the “Policy”) with this Court.

Upon receipt of the Benefits by the Court, Plaintiff shall be dismissed with prejudice from this action, and Plaintiff, including all of its agents, officers, directors, assigns, subsidiaries, parents, and successors shall be fully and finally released and discharged from all liability as to any and all claims under the Policy with respect to the issues raised or which could have been raised in this lawsuit, including but not limited to, claims for the Benefits, attorneys’ fees, costs, and bad faith or relating in any way to the Policy.

Upon receipt of the funds, Defendants, including their agents, assigns, heirs, successors, and executors, and anyone who has or could attempt to claim a right to the applicable life insurance benefits are restrained from instituting or prosecuting any action in state or federal court against MLIC, including all of its agents, officers, directors, assigns, subsidiaries, parents, and successors, for the recovery of the Benefits due under the applicable life insurance policy (Trust Policy No. 30287T, Sponsor No. 50183).

MLIC will, upon due proof, be awarded reasonable attorneys' fees and costs as a disinterested stakeholder who has conceded liability, deposited the funds with the Court, and sought a discharge of liability.

It is so ordered. Final.

Dated this 26th day of March, 2018.



JUDGE WALTER H. RICE