

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

Protective Life Insurance Company,

Plaintiff,

vs.

Deborah LeClaire, an individual, and Carrie Thomas, Administratrix on Behalf of the Estate of Robert Eugene Gilliland, Deceased.

Defendants.

Case No: 7:17-cv-00628-MGL

**ORDER GRANTING LEAVE TO
DEPOSIT INTERPLEADER
FUNDS INTO REGISTRY OF THE
COURT, DISCHARGING PROTECTIVE
AND AWARDING ATTORNEY'S FEES
AND COSTS**

On September 20, 2017, Plaintiff Protective Life Insurance Company ("Protective") moved for leave to deposit the sum of \$200,000, plus accrued interest, into the registry of the Court; for an award of \$6,149.60 in attorneys' fees and costs incurred in prosecuting this action, and for discharge and dismissal in connection with a statutory interpleader action brought by it. The Court notes that all of the requirements of Rule 67 of the Federal Rules of Civil Procedure have been satisfied, in that leave of Court was sought by the motion, and every other party in the action has received notice of the motion.

Having reviewed and considered the motion and memorandum submitted by Protective, and for good cause shown, it is HEREBY ORDERED and DECREED that:

1. Protective's motion for leave to deposit funds into the registry of this Court is GRANTED, and the Clerk of Court shall accept for deposit a check for \$200,000, plus accrued interest, to be tendered by Protective within fourteen days of this Order;
2. The funds so deposited shall be maintained in an interest-bearing account previously approved for such purposes;

3. Protective shall serve a copy of this Order as required by Rule 67 on all other parties to this action and make such service forthwith;

4. Upon deposit of said funds, pursuant to 28 U.S.C. § 1335 and § 2361, Protective is discharged from any further liability related to or arising from life insurance Policy Number DT0084888 and Protective is dismissed with prejudice from this action.

5. Pursuant to 28 U.S.C. § 2361, each of the Defendants, their agents, attorneys or assigns, are permanently enjoined from instituting any action in any state or United States Court against Protective relative to the proceeds of the Policy, or any portion thereof.

6. The Defendants shall plead their entitlement to the interpleaded funds, and shall be bound by all orders, judgments and decrees of the Court regarding the Policy.

7. Protective is awarded its reasonable attorneys' fees and costs in the amount of \$6,149.60, which such fees and costs are taxed against the stake deposited into the registry of the Court. The Clerk is directed to release the amount of attorneys' fees and costs identified above to Protective from the stake held in the registry of the Court.

SO ORDERED on this 21st day of September, 2017.

s/Mary Geiger Lewis

Mary Geiger Lewis
United States District Court Judge

September 21, 2017