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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 TRANSAMERICA LIFE INSURANCE CO.,

10 Plaintiff,

11 v.

12 DARLEEN LYNN HUGHES, *et al.*,

13 Defendants.

NO. C17-1434-JPD

ORDER GRANTING PLAINTIFF'S
MOTION FOR DISCHARGE AND
DIRECTING THE PARTIES TO
ENGAGE IN EARLY MEDIATION

14 This matter comes before the Court on Interpleader Transamerica Life Insurance
15 Company's ("Transamerica") motion for discharge. Dkt. 9. Transamerica's amended
16 complaint asks the Court to determine which defendant(s) are legally entitled to \$129,347.94,
17 which is the sum (plus interest) due and owing under Transamerica's Fixed Deferred Annuity
18 Policy Number 02CBT110744 insuring the life of decedent George Divis. During the Court's
19 telephonic status conference on March 15, 2018, each of the parties advised the Court that they
20 had no objection to Transamerica's request to be discharged from this action. In addition, the
21 Court explained to the parties why early mediation may be the least expensive means of
22 resolving this matter, and directed the parties to engage in early mediation proceedings.
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ORDER - 1

1 Accordingly, the Court ORDERS as follows:

2 (1) Transamerica's motion for discharge, Dkt. 9, is GRANTED. Transamerica is
3 released and discharged from this action and any and all liability to defendants and their heirs,
4 assigns, and beneficiaries. Each of the defendants, their heirs, assigns, beneficiaries, and
5 attorneys are permanently restrained and enjoined from instituting or prosecuting any action or
6 proceeding against Transamerica for the annuity proceeds of Policy Number 02CBTT110744
7 in the amount of \$129,347.94, issued on the life of decedent George Divis, or from seeking a
8 determination as to the person(s) lawfully entitled to the proceeds thereof other than among
9 themselves.

10 (2) Transamerica shall deposit the principal balance of \$129,347.94, representing the
11 the insurance policy proceeds, into the Registry of the Court pursuant to Fed. R. Civ. P. 22
12 within ten (10) days of the date of this Order, for an adjudication of the defendants' respective
13 rights to that sum. As discussed during the telephonic status conference, Transamerica may
14 file a properly supported motion seeking attorney's fees and costs in this matter. If such a
15 motion is granted, the Court would deduct the awarded fees and costs from the insurance
16 proceeds.


17 (3) To date, defendant Darleen Lynn Hughes has failed to file an answer or other
18 responsive pleading in this case. She is therefore directed to file her answer, or otherwise
19 respond to the amended complaint, by no later than **Friday, March 23, 2018**.

20 (4) The Court will enter a Scheduling Order setting forth the December 3, 2018 trial
21 date and related deadlines. In the meantime, however, the parties are directed to engage in
22 early mediation proceedings. Specifically, the parties shall confer with each other, by phone or
23 email, and select a mediator by no later than March 30, 2018. The parties shall also complete
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1 the mediation by no later than April 30, 2018, and promptly advise the Court as to whether this
2 matter has been resolved.

3 (5) The Clerk is directed to send a copy of this Order to all the parties.

4 DATED this 20th day of March, 2018.

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7 JAMES P. DONOHUE
8 United States Magistrate Judge
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