

THE HONORABLE TANA LIN

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SECURIAN LIFE INSURANCE  
COMPANY,

Plaintiff,

v.

SONAM SAXENA, an individual; THE  
ESTATE OF SMRITI SAXENA, by and  
through its Personal Representative Sonam  
Saxena; and DOES 1 to 10, inclusive,

Defendants.

Case No. 2:24-cv-00012-TL

**AMENDED<sup>1</sup> ORDER FOR LEAVE TO  
DEPOSIT INTERPLEADER FUNDS**

**[Local Court Rules 7(d), 67; FRCP 67]**

NOTE ON MOTION CALENDAR:  
May 30, 2024

Pursuant to the Court’s May 23, 2024 Minute Order (Dkt. No. 22), IT IS HEREBY  
STIPULATED by and between Plaintiff Securian Life Insurance Company and defendants  
SONAM SAXENA, an individual, and THE ESTATE OF SMRITI SAXENA, by and through its  
Personal Representative Sonam Saxena that Securian Life be granted leave to interplead the sum  
payable under the subject insurance policy (including applicable interest and a deduction of an  
award of attorneys’ fees and costs) as follows:

1. Securian Life Insurance Company (“Securian Life”) is subject to competing claims  
for insurance benefits in the amount of \$750,000.00 (the “Death Benefit”) payable because the  
death of Smriti Saxena (the “Decedent”), an employee’s dependent insured under group term life  
insurance policy number 70412 (the “Policy”) issued by Securian Life as a part of Google LLC’s

<sup>1</sup> This order amends and supersedes the Court’s prior Order (Dkt. No. 21).  
STIPULATED MOTION FOR LEAVE TO DEPOSIT INTERPLEADER FUNDS

1 employee welfare benefit plan governed by the Employee Retirement Income Security Act of 1974  
2 (“ERISA”). Securian Life claims no beneficial interest in the Death Benefit at issue. Rather,  
3 pursuant to Federal Rule of Civil Procedure 22 and 28 U.S.C. §1332, Securian Life seeks to have  
4 the persons with adverse claims to the Death Benefit interplead and resolve their competing claims,  
5 and for Securian Life to be discharged from all further liability. As such, Securian Life should be  
6 permitted, pursuant to Federal Rule of Civil Procedure 67, to pay the Death Benefit (plus interest  
7 and less attorneys’ fees and costs) into the Registry of the Court.

8 2. Securian issued group term life insurance policy number 70412 (the “Policy”) to  
9 Google LLC providing a Dependents Term Life Insurance Certificate Supplement (“Supplement”)  
10 to eligible employees’ dependents, including Sonam Saxena’s spouse Smriti Saxena (herein the  
11 “Decedent”). *See* Complaint, Dkt. No. 1, at ¶ 8. The Policy (and Supplement) is a part of Google  
12 LLC’s employee welfare benefit plan governed by ERISA. *Id.* Under the ERISA plan, The  
13 Supplement provided that Securian will pay the Death Benefit to “you [(Sonam Saxena)] if living,  
14 otherwise to your estate.” *Id.*, at ¶ 10. The Supplement does not otherwise designate a person as  
15 secondary beneficiary. *Id.* The Death Benefit under the Policy payable by reason of the Decedent’s  
16 death, and subject to this interpleader action, is \$750,000.00. *Id.*, at ¶ 9.

17 3. Prior to, and until, February 18, 2020, Sonam Saxena was the eligible employee  
18 under the ERISA plan and was the designated beneficiary pursuant to the terms of the Supplement.  
19 *Id.*, at ¶ 11. The Decedent died on February 18, 2020. *Id.*, at ¶12.

20 4. Shortly after Decedent’s death, Securian received notice of Decedent’s death and  
21 opened a claim for the Death Benefit under the Supplement. Securian is the insurance carrier and  
22 claims administrator under the Policy and Supplement. *Id.*, at ¶13.

23 5. Securian received a copy of the death certificate regarding the Decedent which listed  
24 the cause of death as homicidal violence of undetermined etiology. *Id.*, at ¶14.

25 6. With respect to the Death Benefit owed under the Supplement, Securian Life has  
26 received and/or is otherwise on notice of competing and adverse claims to the Death Benefit. *Id.*,  
27 at ¶ 20. Thus, Securian Life is unable to pay the Death Benefit without being exposed to the risk  
28 of double or multiple liability and/or contravening Google’s ERISA governed employee welfare

1 benefits plan.

2 7. On January 3, 2024, Securian Life filed a Complaint in Interpleader pursuant to  
3 Federal Rule of Civil Procedure 22 and 28 U.S.C. §1332 asking that the Court interplead the  
4 Defendants, fully and finally discharge it from all liability under the Policy, award its fees and  
5 costs, and dismiss it from the action. *See*, Complaint, Dkt. No.1. The defendants have appeared.  
6 *See*, Answers to Complaint at Dkt. Nos. 14 and 15.

7 8. Federal Rule of Civil Procedure 67 permits Securian Life to deposit the Death  
8 Benefits under the Policy into the Court's Registry. Specifically, Rule 67 provides:

9 If any part of the relief sought is a money judgment or the disposition of a sum of money or  
10 some other deliverable thing, a party—on notice to every other party and by leave of court—  
11 may deposit with the court all or part of the money or thing, whether or not that party claims  
any of it. The depositing party must deliver to the clerk a copy of the order permitting  
deposit.

12 FED. R. CIV. P. 67(a).

13 9. Securian Life has complied with Local Rules 7(d) and 67 with regard to the request  
14 to deposit funds. A proposed order is included with this stipulated motion.

15 10. Depositing the Death Benefit (\$750,000.00) plus any applicable interest and less  
16 Securian Life's attorneys' fees and cost will facilitate judicial economy by permitting Securian  
17 Life, which is merely an innocent stakeholder, to withdraw from the dispute while entitlement to  
18 the Death Benefit is resolved between adverse claimants.

19 11. The parties agree that Securian Life is entitled to recover its fees and costs totaling  
20 \$23,111.60 and this amount should be deducted from the Death Benefit prior to deposit into the  
21 Court's Registry. An award of attorneys' fees and costs to an interpleader plaintiff may be deducted  
22 from the interpleaded funds. *See Schirmer Co. Ltd. v. Seaboard Stevedoring Corp.*, 306 F.2d 188,  
23 194–95 (9th Cir. 1962).

24 12. For the reasons set forth above, the parties request an Order permitting Securian Life  
25 to deposit \$759,002.71 (the Death Benefit of \$750,000.00, plus applicable interest of \$32,114.31,  
26 and less \$23,111.60 for Securian Life's attorneys' fees and cost) into the Court's Registry. The  
27 check for \$759,002.71 submitted by Securian Life to the Court Clerk on May 13, 2024 shall be  
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1 deposited by the Clerk into the Court's Registry until such time as the Court makes an order  
2 directing disbursement and distribution of these funds.

3  
4 DATED this 30th day of May 2024.

5 McDOWELL HETHERINGTON LLP STOKES LAWRENCE, P.S.

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STIPULATED MOTION FOR LEAVE TO DEPOSIT INTERPLEADER FUNDS

1 **ORDER**


2 Based on the Stipulated Motion (Dkt. No. 23) filed by the Parties pursuant to the Court's May 23,  
3 2024, Minute Order (Dkt. No. 22), it is hereby ORDERED:

4 1. Securian Life Insurance Company may deposit \$759,002.71 (the Death Benefit  
5 (\$750,000.00) plus applicable interest of \$32,114.31 and less \$23,111.60) into the Court's  
6 Registry.

7 2. The \$759,002.71 tendered by Securian Life on May 13, 2024 shall remain in the  
8 Court's Registry until such time as the Court makes an order directing disbursement and  
9 distribution of these funds.

10 3. The Clerk is directed to deposit \$759,002.71 into the Registry of the Court.

11 Dated: June 3, 2024

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14 Tana Lin  
15 United States District Judge  
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