

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FIDELITY & GUARANTY LIFE
INSURANCE COMPANY,

Plaintiff,

v.

Case No. 1:23-cv-00731-DHU-LF

ESTATE OF FLORENCE DENICE
SHIPMAN, et al.,

Defendants.

FINAL JUDGMENT AND ORDER OF INTERPLEADER DISBURSEMENT

On the Joint Motion for Entry of Final Judgment and Order of Interpleader Disbursement filed by Defendants Ray Encinias, The Estate of Florence Denice Shipman, and Joel Willard Shipman, Sr., the Court finds, adjudges, and orders as follows:

1. On August 30, 2023, Fidelity & Guaranty Life Insurance Company (“F&G”) initiated this suit concerning a dispute over the death benefit of a life insurance policy insuring the life of Florence Denice Shipman, who died on October 10, 2022. (ECF No. 1).
2. On January 26, 2024, F&G deposited the disputed insurance death benefit and applicable interest totaling \$278,439.34 (the “Funds”) into the registry of the Court.
3. On April 12, 2024, the Court issued an Order granting F&G interpleader relief and dismissing it as a party. (ECF No. 37).

4. On June 7, 2024, the finance department disbursed \$5,490.00 for attorney's fees and \$929.20 for expenses to F&G from the Funds, leaving a total principal amount of \$272,020.14, plus applicable interest, in the Court's registry.

The remaining parties have resolved their dispute and submitted a Joint Motion for Entry of Final Judgment and Order of Interpleader Disbursement, evidencing the financial terms of the settlement. Therefore, pursuant to the agreement of the parties, and the record in this matter:

IT IS ORDERED that from the remaining Funds, Ray Encinias is entitled to and the Clerk shall disburse to him One Hundred Thirty-Six Thousand Ten Dollars and Seven Cents (\$136,010.07), plus 50% of any accumulated interest, less 50% of any registry fees, payable to: "Interpleader Law, LLC IOLTA" and mailed to: Michael Hoover, Interpleader Law, LLC, 5800 One Perkins Place Dr., Suite 2A, Baton Rouge, LA 70808.

IT IS FURTHER ORDERED that from the remaining Funds, Joel Willard Shipman, Sr. is entitled to and the Clerk shall disburse to him One Hundred Thirty-Six Thousand Ten Dollars and Seven Cents (\$136,010.07), plus 50% of any accumulated interest, less 50% of any registry fees, payable to: "Steven K. Sanders & Associates, LLC Trust Account" and mailed to: Steven Sanders, Steven K. Sanders & Associates, LLC, 820 2nd Street NW, Albuquerque, NM 87102.

IT IS FURTHER ORDERED that this matter is hereby dismissed with prejudice, with each party bearing its own costs.

Dated: July 22, 2024.

A handwritten signature in black ink, appearing to read "David Herrera Urias", is written over a horizontal line.

HON. DAVID HERRERA URIAS
UNITED STATES DISTRICT JUDGE