**UNITED STATES DISTRICT COURT**
**DISTRICT OF NEVADA**

MIDLAND NATIONAL LIFE INSURANCE COMPANY,

Plaintiff

v.

DAVID FOLEY AS EXECUTOR OF THE ESTATE OF RICKY FOLEY and MARTIN McVICAR,

Defendants

Case No: 2:25-cv-00326-CDS-DJA

**FINAL JUDGMENT AND ORDER OF INTERPLEADER DISBURSEMENT**

[ECF No. 32]

On the Unopposed Motion for Entry of Final Judgment and Order of Interpleader Disbursement filed by defendant Martin McVicar, the Court finds as follows:

1. On February 19, 2025, Midland National Life Insurance Company initiated this suit concerning a dispute over an annuity death benefit that became payable upon the death of Ricky Foley, who died on December 1, 2023. ECF No. 1.

2. On August 5, 2025, the Court ordered Midland to deposit the disputed death benefit into the registry of the Court. ECF No. 19.

3. On October 9, 2025, Midland deposited the disputed death benefit and applicable interest, totaling $112,758.54 (the "Funds"), into the registry of the Court. (ECF No. 28).

4. On October 28, 2025, Midland was granted interpleader relief and dismissed as a party. ECF No. 30.

5. On February 13, 2026, the Court granted McVicar's Motion for Default Judgment against defendant David Foley, as Executor of the Estate of Ricky Foley, due to his failure to file a responsive pleading or otherwise appear and assert a claim in this action. The Court further ordered McVicar to file the instant motion by March 10, 2026. ECF No. 31.

Therefore, based on the record in this matter and for good cause shown:

IT IS ORDERED that Martin McVicar is entitled to, from the registry Funds, and the Clerk must disburse to him, $112,758.54, plus 100% of any accumulated interest, payable to: "Interpleader Law, LLC IOLTA" and mailed to: Michael Hoover, Interpleader Law, LLC, 9015 Bluebonnet Blvd., Baton Rouge, LA 70810.

IT IS FURTHER ORDERED that this matter is dismissed with prejudice, with each party bearing its own costs. The Clerk of Court is kindly instructed to close this case.

Dated: March 10, 2026

Cristina D. Silva
United States District Judge