

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

PROTECTIVE LIFE INSURANCE
COMPANY,

Plaintiff,

v.

ROSE HENDERSON and DIANE
LEE AUMAN,

Defendants.

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Case No. 1:21-cv-02789-MGL

ORDER OF INTERPLEADER DISBURSEMENT

On the Joint Motion for Entry of Final Judgment and Order of Interpleader Disbursement filed by Defendants Diane Lee Auman (“Auman”) and Rose Henderson (“Henderson”), the Court finds, adjudges, and orders as follows:

1. On August 27, 2021, Protective Life Insurance Company (“Protective”) initiated this suit concerning a dispute over the death benefit of a life insurance policy insuring the life of Joseph P. Henderson, who died on February 9, 2021. (ECF No. 1).

2. On December 16, 2021, Protective was ordered to deposit the disputed death benefits. (ECF No. 10).

3. On or about January 3, 2022, Protective deposited the disputed life insurance death benefit in the amount of \$200,000.00 and the then-applicable interest of \$5,029.36, for a total amount of \$205,029.36 (the “Funds”) into the registry of the Court.

4. On March 8, 2022, Protective filed a Motion for Discharge, Dismissal, and Attorneys’ Fees. (ECF No. 44).

5. On November 3, 2022, the Court granted Protective's Motion for Discharge and Dismissal, dismissing it as a party, but dismissed without prejudice its Motion for Attorneys' Fees. (ECF No. 70).

6. On November 18, 2022, Protective re-filed its Motion for Attorneys' Fees and Costs (ECF No. 72), which was contested by the Defendants.

The Defendants, having resolved their dispute and reaching an agreement with Protective as to its pending motion, have 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 the parties' joint motion for Entry of Final Judgment and Order of Interpleader Disbursement is **GRANTED**.

IT IS FURTHER ORDERED that from the Funds, Protective is entitled to and the Clerk shall disburse to it \$8,000, payable to: "Protective Life Insurance Company" and mailed to: Rita Bolt Barker, 200 E. Broad Street, Suite 400, Greenville, SC 29601.

IT IS FURTHER ORDERED that from the Funds, Auman is entitled to and the Clerk shall disburse to her \$98,514.68 from the Funds, and fifty percent of all accumulated interest on the Funds, payable to: "Interpleader Law, LLC IOLTA" and mailed to: Brittany Root, Interpleader Law, LLC, 5800 One Perkins Place Dr., Suite 2A, Baton Rouge, LA 70808.

IT IS FURTHER ORDERED that from the Funds, Henderson is entitled to and the Clerk shall disburse to her \$98,514.68 from the Funds, and fifty percent of all accumulated interest on the Funds, payable to: "Simmons Law Firm, LLC IOLTA" and mailed to: Rachel G. Peavy, Simmons Law Firm, LLC, 1711 Pickens Street, Columbia, SC 29201.

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

Dated: July 11, 2023.


MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE