

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Plaintiff,

v.

TESSA A. KOEHN and MARY P.
DEVERS,

Defendants.

Civil Action No.: 6:19-cv-01071-JWB

**ORDER ALLOWING DEPOSIT OF
INVESTED FUNDS WITH THE
COURT**

This matter, having been brought to the Court upon a Motion to Deposit filed by Plaintiff, The Prudential Insurance Company of America (“Prudential”), pursuant to Rule 67 of the Federal Rules of Civil Procedure, for entry of an Order directing Prudential to deposit certain life insurance proceeds in the amount of \$250,228.00 (“Remaining Death Benefit”), plus applicable claim interest, if any, out of a \$400,000.00 total death benefit due as a consequence of the death of James E. Devers, under a group life insurance policy bearing Group Policy No. G-32000 (the “Group Policy”), issued by Prudential through the Office of Servicemembers’ Group Life Insurance (“OSGLI”) to the Department of Veterans Affairs of the United States, pursuant to the Servicemembers’ Group Life Insurance statute, 38 U.S.C. § 1965 (“SGLI”), and the Court having considered the application, and for good cause having been shown,

IT IS THEREFORE ORDERED that the Motion to Deposit Money with the Court into the Registry of the Court pursuant to Rule 67 of the Federal Rules of Civil Procedure in the amount of \$250,228.00, plus applicable claim interest, if any, which represents the Remaining Death Benefit at issue in this action due as a consequence of the death of James E. Devers, is hereby GRANTED, and within 21 days of Prudential's receipt of this Order, Prudential shall deposit the Remaining Death Benefit in the amount of \$250,228.00, plus applicable claim interest, if any, with the Clerk of this Court.

IT IS FURTHER ORDERED that the Clerk is hereby Ordered to deposit the funds in a money market account or other instrument at the prevailing rate of interest at a federally approved financial institution. The initial investment is subject to the collateral provisions of Treasury Circular 176. The Clerk shall deduct the administrative registry fee, set by the Director of the Administrative Office at ten percent (10%) of the interest earned or as indicated based on the amount and time of deposit into the Court. Said fee is authorized by the Judicial Conference of the United States.

IT IS FURTHER ORDERED that the Remaining Death Benefit so invested in the interest-bearing account shall remain on deposit until further notice of this Court at which time the funds, together with interest thereon, shall be retrieved by the Clerk and redeposited into the non-interest bearing Registry of the Court for disposition pursuant to further order of this Court.

Dated this 4th day of June, 2019.

s/ James P. O'Hara
James P. O'Hara
United States Magistrate Judge