

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

**STATE AUTO PROPERTY AND
CASUALTY INSURANCE COMPANY,**

Plaintiff,

v.

**CURTIS ROSS, VICKI ROSS, AND
UNITED STATES OF AMERICA,**

Defendants,

MICHAEL C. HELBERT

Intervenor Plaintiff.

Case No. 19-02006-CM-TJJ

MEMORANDUM AND ORDER

On October 15, 2019, the court granted in part intervenor-plaintiff Michael C. Helbert's motion to approve a stipulation of attorney's fees between intervenor-plaintiff and the United States and to authorize payment from the interpleaded fund. (Doc. 36.) The court recognized intervenor-plaintiff's first and prior lien in the amount of his reasonable attorney's fees, but required intervenor-plaintiff to support his requested fees by either redacted filing or by submitting records for *in camera* review. The court further stated that once intervenor-plaintiff provided this support, the court would set deadlines for distribution and any party objections.

Intervenor-plaintiff promptly submitted support for his requested attorney's fees for *in camera* review. After careful review, the court concludes that intervenor-plaintiff's claim for \$8,176.01 in reasonable attorney's fees is well-supported by the submitted records and that this amount corresponds to his representation of defendants in obtaining the interpleaded fund. Accordingly, intervenor-

plaintiff Michael C. Helbert holds a first and prior lien in the interpleaded fund in the amount of \$8,176.01.

IT IS THEREFORE ORDERED that intervenor-plaintiff Michael C. Helbert holds a first and prior lien on the interpleaded fund for his reasonable attorney's fees in the amount of \$8,176.01.

IT IS FURTHER ORDERED that on or by Friday, November 1, 2019, any interested objecting parties shall submit their objections to distribution in satisfaction of intervenor-plaintiff's lien. On Monday, November 4, 2019, if no parties have filed objections, then the Clerk of Court shall authorize distribution from the interpleaded fund to intervenor-plaintiff in the amount of \$8,176.01.

Dated this 17th day of October, 2019, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge