

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

HARTFORD LIFE & ACCIDENT
INSURANCE COMPANY,

Plaintiff,

Case No. 21-1184-JAR

v.

MURRAY NEBERGALL and LESLEY
NEBERGALL,

Defendants.

ORDER

This is an interpleader action involving distribution of life-insurance benefits under a Spirit Aerosystems Holdings, Inc. insurance plan upon the death of former Spirit employee Rory Nebergall (the “Decedent”). The two defendants (the Decedent’s ex-wife and father) separately claim entitlement to the benefits. On November 4, 2021, the court ordered defendants to show cause by November 19, 2021, why the court should not appoint a guardian ad litem to represent the interests of the Decedent’s minor daughter in this action.¹ On November 15, 2021, defendants filed a notice that they had settled the dispute and agree the benefits should be distributed one-third to each of them and one-third to the minor daughter.² The notice is silent as to who represented the minor daughter’s interests during settlement discussions, leading the court to surmise they were not represented. The

¹ ECF No. 16.

² ECF No. 19.

court therefore denies defendants’ request to “suspend all deadlines in this case” pending dismissal.³ The November 19, 2021 deadline for responding to the order to show cause remains.

Dated November 15, 2021, at Kansas City, Kansas.

s/ James P. O’Hara
James P. O’Hara
U.S. Magistrate Judge

³ *Id.* at 2.