

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

Case No. 2: 12-cv-11749

v.

Hon. Sean F. Cox

TRACY PROSSER, AS PERSONAL
REPRESENTATIVE OF THE ESTATE
OF ALEXANDER ESTEEN DAVIS,
KALEIDA BOSTICK, AND GRACELAWN
CORPORATION d/b/a GRACELAWN
CEMETERY,

Defendants.

JUDGMENT

Plaintiff Metropolitan Life Insurance Company (“MetLife”) having filed its First Amended Complaint in Interpleader on May 10, 2012; Defendant Tracy Prosser having been properly served with the Summons and First Amended Complaint in Interpleader on August 4, 2012, in accordance with the Court Order for Alternate Service and having been advised of the necessity to file an Answer to the First Amended Complaint and having failed to file such Answer or otherwise respond within the allowable time limits; the Clerk of the Court having entered a Default against Tracy Prosser (Dkt. # 15); the Court having reviewed Plaintiff MetLife’s Motion for Entry of Judgment and Defendant Tracy Prosser having received Notice of the hearing scheduled by the Court on Plaintiff MetLife’s Motion for Entry of Judgment and Tracy Prosser having failed to appear for the hearing and the Court otherwise being fully advised in the premises;

IT IS HEREBY ORDERED AND ADJUDGED that Default Judgment be, and hereby is entered against Defendant Tracy Prosser individually and as Personal Representative of the Estate of Alexander Esteen Davis and her successors and assigns, and all other persons who may take anything of value by and through said person such that they take nothing by this action;

IT IS FURTHER ORDERED AND ADJUDGED that Judgment be, and hereby is entered for Defendant Kaleida Bostick and Defendant Gracelawn Cemetery as described below;

IT IS FURTHER ORDERED AND ADJUDGED that MetLife shall be allowed to recover One Thousand Three Hundred Fifty Dollars (\$1,350.00) from the life insurance benefits payable to

Kaleida Bostick as partial reimbursement for its costs and attorney fees incurred in bringing this action;

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Gracelawn Corporation d/b/a Gracelawn Cemetery shall receive Seven Thousand Eighty Nine and 02/100 Dollars (\$7,089.02) from the life insurance benefits payable under the General Motors Life and Disability Program for Hourly Employees as a result of the death of Alexander Esteen Davis to reimburse it for the burial expenses of Alexander Esteen Davis;

IT IS FURTHER ORDERED AND ADJUDGED that Kaleida Bostick shall be entitled to the remainder of the group life insurance benefits of the Decedent Alexander Esteen Davis under the General Motors Life and Disability Program for Hourly Employees (\$42,486.00)(at the time of the filing of the Complaint in Interpleader) plus applicable interest, less the amounts disbursed to MetLife and Gracelawn Cemetery;

IT IS FURTHER ORDERED AND ADJUDGED that upon payment of the life insurance benefits of the Decedent as described above, MetLife and the Plan and General Motors shall be fully relieved and discharged of any and all liability to Kaleida Bostick, Tracy Prosser (individually and as Personal Representative of the Estate of Alexander Esteen Davis) and Gracelawn Cemetery and any other individuals with respect to all life insurance benefits payable under the General Motors Life and Disability Program for Hourly Employees as a result of the death of Alexander Esteen Davis;

IT IS FURTHER ORDERED THAT Plaintiff's First Amended Complaint in Interpleader is DISMISSED WITH PREJUDICE in its entirety. This Order closes and finalizes this case.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: October 15, 2012

Approved as to Form:

s/ David M. Davis

David M. Davis (P24006)
Attorney for MetLife

s/ Leon Letter

Leon Letter (P57447)
Attorney for Kaleida Bostick only

s/ Equina Hartwell

Equina Hartwell
On behalf of Gracelawn Cemetery
Its: Administrative Assistant

235473.WPD

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PROOF OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel of record
on October 15, 2012, by electronic and/or ordinary mail.

s/Jennifer Hernandez McCoy
Case Manager