

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAN LIFE,

Plaintiff,

vs.

Case No. 22-CV-11088
HON. GEORGE CARAM STEEH

JEMISON, et al,

Defendants.

/

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF No. 35)
GRANTING MOTION FOR SUMMARY JUDGMENT IN PART (ECF No. 33)**

This is an interpleader action brought by plaintiff Metropolitan Life Insurance company (MetLife) concerning conflicting claims related to life insurance coverage for General Motors Group Life Insurance Plan (GM Plan) participant Herbert B. Jemison, who is deceased (Decedent). MetLife brought this action to resolve competing claims for the proper distribution of Decedent's GM Plan benefits between interpleader defendants, who are Decedent's eleven children and spouse. This matter is before the Court on the Report and Recommendation (R&R) (ECF No. 35) filed by the Magistrate Judge recommending that the motion for summary judgment filed by two of the defendants (Jessie Jemison and Danny Jemison) be granted in part. The Court notes that no response or opposition was filed to

the motion for summary judgment, nor have any timely objections been filed to the R&R.

This Court agrees with and adopts the thorough analysis conducted and recommendation made by the Magistrate Judge. Now, therefore, for the reasons provided by the Magistrate Judge, the recommendation to order that the GM Plan benefits currently on deposit with the Court be paid to Decedent's estate in conformance with the alternate directive provided by the GM Plan's Certificate Rider is adopted as an order of the Court. A personal representative of the estate can then be appointed to ensure the funds' proper distribution through the Genesee County Probate Court.

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 35) is adopted by the Court.

IT IS HEREBY FURTHER ORDERED that the pending motion for summary judgment (ECF No. 33) is GRANTED IN PART.

IT IS HEREBY FURTHER ORDERED that the Clerk of the Court pay the GM Plan benefits on deposit with the Court to Decedent's estate in accordance with the Court's Order to Distribute Funds entered this date.

Dated: April 22, 2024

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on April 22, 2024, by electronic and/or ordinary mail and also on the following:

Jesse Jemison
3010 Laurel Cove Way
Gurley AL 35758

Danny Jemison
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Donald Jemison
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Cedric Jemison
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Timmy Jemison
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Andre Jemison
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Rena Hankins
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Melissa Brown
42 Orchard Avenue
West Seneca, NY 14224

s/Lashawn Saulsberry
Deputy Clerk