

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 10 CV 81174 JIC.

**The attached hand-written
document
has been scanned and is
also available in the
SUPPLEMENTAL
PAPER FILE**

Feb 12, 2011

United States District Court
Southern District of Florida

FILED by *SP* D.C.
FEB 16 2011
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

Case No# 10-81174 - CIV
Cohn/Setzer

To: Clerk of Court

Honorable Judge James L. Cohn

From: Glenda Renee McMillian Lincoln

Legal Documents provided Custody,
Child Support + Visitation. Also, other
matters.

Thank you,
Glenda R. Lincoln

Dear Clerks of Court,

Feb 12, 2011

L. Blenda R. McMillian Lincoln
are sending legal documents, along with
other papers I've found, there were approx
thirty pages of papers I had never
seen before e.g. the paper I received from
Atty. Alternatives as Danny Lincoln, Shan-
non + Brianna's father needed a divorce
as he's girl friend was pregnant with
his child, therefore it was a rush, rush
thing to do. I took approx 12 to 15 pages
to my lawyer in King Michael R. Benn-
ette he looked over them with me, I
look at it an it seemed fine with
me, therefore I did not disagree. nor
contest the divorce papers as they seemed
to be correct. My atty Mike just told me
to put them under my Christmas tree. I
do remember making a phone call to
Blaw. As I was looking through my closet,
I saw a pk of papers, that I had never
seen before an they read something totally
different what I had taken to my atty
Mike. I enclosed some of them. Some-
one had to put them there, it was only
about a year ago, I cleaned out my closet.

Cont pg(2)

Feb 12, 2011

(1) Family Law Financial Affidavit

Mr Danny was bringing home approx \$600.00 in 1992 and played in "Band" on week ends more money. I did sign a paper to claim the girls only for 2 yrs. I suppose he claimed Shannon each year until she passed. He always said he would get something nice for the girls when he got his taxes back. I'd say now, he sure wished he had. Life was all about Danny. And the entertainment \$100.00 would have been nice to have the girls hair cut. He always told ^{the girls} he never had any thing while he was growing up, and they shouldn't either. Total Assets + Liabilities have been already divided, I don't know what he means by that, I had to buy everything new when we moved up from Fla I have proof. Last pg in these papers A Child Support Guideline Work sheet is not being filed in this case. Child Support was not an issue in this case, please know if I would have read something of that nature, for my girls not to get what they really deserved. My atty would have contest this immediately.

Cont #5 (3)

Feb 12, 2011

- (2) Mediation called by phone
Please note different address on this
Mediation sheet Danny Lyncal
21890 Lake Forest Circle #203
Boca Raton, FL 33433
- (3) Addendum that I got from my lawyer in Pilot
(Atty) after the one that had Lenda
Rose on it, ask for that one, as he
gave me this one instead. Sent to you
~~the~~ the first Original Addendum. Nothing wrote
after guaranteed payout. These names
were forged by Church Mutual Ins Co.
Claims Atty.
- (4) The day Shannon + I met with Honor-
able Judge Mel Grossman in his Cham-
bers with Joel Bernstein from Church
Mutual. He picked Shannon + I up
in Delray and drove us to Fort Lauderdale,
Broward County, FL on the 14
day of Oct 1992. This is a copy my
Original has been stolen.
- (5) This is another one I've never seen
until a couple of weeks ago. He didn't
even know Shannon Birthday Day Second
to last pg. The girls have been getting 150.00
since 1993, Now it's 2003 and that still cont pg

Feb 12, 2011

~~What~~ what they ^{were} getting, How could that man gotten away with it. All he wanted to do was hurt me, but little did he know he killed them, ^{the girls}
Last pg. it reads document of this copy of one, none was checked.

(6) Girls Shannon, Brianna + I flew down to FL after Danny serving papers on me in N.C. Honorable Judge Daniel J. K. Hurley gave me temporary Custody of Shannon + Brianna.

Gave Danny visitation on a schedule for out-of-state, on made sure I received a child support ck each week for our girls, due to the fact Danny's lawyer told him to send us one dollar in N.C. therefore he could say he sent the girls money. Judge Hurley was such a fine man on cared very much for our well being. I pray he doing well.

(7) Again, more of the papers I'm finding Dissolution of marriage 1st pg. Shannon's Birthday Day (wrong) pg(3) Children are with Mother checked. pg(3) Primary Parent Custody Mother checked. pg(3) He came to see girls approx(5) X Girls went to Fla maybe(3) X Cont pg(5)

Feb 12, 2011

(8) Separation Legal Document, My Atty Michael R. Bennett, here in King N.C. 2nd pg legal custody of Shannon Nicole Sinceln & Brieanna Paige Sinceln, that full legal custody be awarded to Plaintiff (me) Blenda Sinceln. Garnished from Danny's wages \$150.00 per-week I was buying Shannon, Brieanna & I our first new home. Danny got behind 1,800.00

(9) Statement from Funeral Home shows who paid what My Mother (Barbara McMillian) 495.00 My Uncle (Wayne Lowe) my mothers brother. paid \$500.00 I, Blenda Sinceln paid 20.00 I live on very low income, therefore I'll have to pay when I can. My Best Friend since first grade paid out 2,500.00 for she & I Libby Patterson. To my knowledge Danny, Shannon's father has never paid a dime on it.

Libby paid 65% of flowers, 100 to dressing to bring her in cell no# (336) 479-8795
cont pg 6

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- (10) Second pg of Hayworth-Miller Funeral Home statement envelope stating their address. They were so good to go above & beyond their duty to make Shannon have the "Best" of what was available, one of the ladies did her hair & eye brows for free. They have waited so long, please allow me to have the monies put into Shannon's estate so I can pay them, Shannon also needs a tombstone, I want to get her one so bad a heart shape, pink if possible, that was her favorite color. I want a (Ballerina Portrait) drawn of Shannon or painting to hang over her bed, she loved to "Dance"! I know she is dancing for Jesus right now. Please grant my request. Dieranna is going to need more rehab, even though she's come along way. I will continue to write an comply with your rules.
- (11) Letters from my Neurosurgeon. Facts to let you know I had an aneurysm, my mother kept me in N.C. for approx 3 to 4 mos as I had to relearn how to walk, talk etc. She flew back with me and took care of Nanny, Girls & me for approx 4 mos. Then she had to return to N.C. to go back to career. cont pg 7

Feb 12, 2011

My concerns - while Breanna was in FL for several mos in 2009 Nanny Breanna's father is in a band and took her to the night club he was playing @ she wasn't even old enough to be in there, with all his older friends. She said they got drunk (Breanna underage) and put it on My Space.com / Jester if you can't delete it, it's there for everyone to see. Before Breanna went to rehab, I could hear her speak with her father, telling him should would call him about more info @ another time or she would text him to make sure he deleted it. I know she took alot of my papers to Fla the 1st of July 2010 fact they got caught by West Palm Bch Police or Lantana Police I know there were about 5 or 6 people. They stole alot of things out of my house to get to Fla. She has done better since her Orca Graduation, but does need more help. She has told her Caseworker alot about Nanny. You ask for her numbers, Office (336) 607-8501 X 221
Cell (336) 776-7943

Her name, Caseworker - Sylvia Watkins cont pg 8

Feb 12, 2011

Thanking you again, again for reading,
and looking over my documents! Please
know I'm trying so hard to get what
needs to get done, also to get to you.
I am so very sorry for the mess of writing
and errors. I have been sick, I think every-
one in N.C. is sick with the flu

I will be writing more, and I
know God is going to give me the greatest
att'y of all. Thank you for all your help
in this matter.

Sincerely yours,
Glenda Lincoln

P.S. I pray you can understand all this -
if not, I'll rewrite it! Thanks!

No. 11 pages

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA

Case No.: _____
Division: _____

DANIEL J. LINCOLN
Petitioner,
and
GLENDA R. LINCOLN
Respondent.

FAMILY LAW FINANCIAL AFFIDAVIT (SHORT FORM)
(Under \$50,000 Individual Gross Annual Income)

I, *(full legal name)* DANIEL J. LINCOLN, being sworn, certify that the following information is true:

My Occupation: Land Surveyor Employed by: Avirom & Associates

Business Address: 50 S.W. 2nd Ave., Boca Raton, FL

Pay rate: \$ 760.00 (✓) every week () every other week () twice a month () monthly () other: _____

Check here if unemployed and explain on a separate sheet your efforts to find employment.

SECTION I. PRESENT MONTHLY GROSS INCOME:

All amounts must be MONTHLY. See the instructions with this form to figure out money amounts for anything that is NOT paid monthly. Attach more paper, if needed. Items included under "other" should be listed separately with separate dollar amounts.

- | | |
|--|----------------------|
| 1. Monthly gross salary or wages | 1. <u>\$3,268.00</u> |
| 2. Monthly bonuses, commissions, allowances, overtime, tips, and similar payments. | 2. _____ |
| 3. Monthly business income from sources such as self-employment, partnerships, close corporations, and/or independent contracts (gross receipts minus ordinary and necessary expenses required to produce income) (<input type="checkbox"/> Attach sheet itemizing such income and expenses.) | 3. _____ |
| 4. Monthly disability benefits/SSI | 4. _____ |
| 5. Monthly Workers' Compensation | 5. _____ |
| 6. Monthly Unemployment Compensation | 6. _____ |
| 7. Monthly pension, retirement, or annuity payments | 7. _____ |
| 8. Monthly Social Security benefits | 8. _____ |
| 9. Monthly alimony actually received | |
| 9a. From this case: \$ _____ | |
| 9b. From other case(s): _____ | |
| Add 9a and 9b | 9. _____ |
| 10. Monthly interest and dividends | 10. _____ |
| 11. Monthly rental income (gross receipts minus ordinary and necessary expenses required to produce income) (<input type="checkbox"/> Attach sheet itemizing such income and expense items.) | 11. _____ |
| 12. Monthly income from royalties, trusts, or estates | 12. _____ |
| 13. Monthly reimbursed expenses and in-kind payments to the extent that they reduce personal living expenses | 13. _____ |
| 14. Monthly gains derived from dealing in property (not including nonrecurring gains) | 14. _____ |
| 15. Any other income of a recurring nature (list source) _____ | 15. _____ |
| 16. _____ | 16. _____ |

ATTACHMENT / EXHIBIT

17. PRESENT MONTHLY GROSS INCOME (Add lines 1-16) TOTAL: 17. \$3,268.00

PRESENT MONTHLY DEDUCTIONS:

18. Monthly federal, state, and local income tax (corrected for filing status and allowable dependents and income tax liabilities)
 a. Filing Status Single
 b. Number of dependents claimed 03 18. \$315.58
 19. Monthly FICA or self-employment taxes 19. \$251.38
 20. Monthly Medicare payments 20. _____
 21. Monthly mandatory union dues 21. _____
 22. Monthly mandatory retirement payments 22. _____
 23. Monthly health insurance payments (including dental insurance), excluding portion paid for any minor children of this relationship 23. \$43.00
 24. Monthly court-ordered child support actually paid for children from another relationship 24. \$730.96
 25. Monthly court-ordered alimony actually paid
 25a. from this case: \$ _____
 25b. from other case(s): _____ Add 25a and 25b 25. _____

26. TOTAL DEDUCTIONS ALLOWABLE UNDER SECTION 61.30, FLORIDA STATUTES (Add lines 18 through 25) TOTAL: 26. \$1,340.92

PRESENT NET MONTHLY INCOME (Subtract line 26 from line 17) 27. \$1,927.08

SECTION II. AVERAGE MONTHLY EXPENSES

A. HOUSEHOLD: Other. _____ \$ _____
 Mortgage or rent \$ 628.00
 Property taxes \$ 86.66
 Utilities \$ 100.00
 Telephone \$ 65.00
 Food \$ 320.00
 Meals outside home \$ 125.00
 Maintenance/Repairs \$ _____
 Other. _____ \$ _____

B. AUTOMOBILE
 Gasoline \$ 20.00
 Repairs \$ 400.00
 Insurance \$ 85.00

C. CHILD(REN)'S EXPENSES
 Day care \$ _____
 Lunch money \$ _____
 Clothing \$ _____
 Grooming \$ _____
 Gifts for holidays \$ _____
 Medical/dental (uninsured) \$ _____
 Other \$ _____

D. INSURANCE
 Medical/dental \$ _____
 Child(ren)'s medical/dental \$ _____
 Life \$ _____

E. OTHER EXPENSES NOT LISTED ABOVE

Clothing	\$ 50.00
Medical/Dental (uninsured)	\$ _____
Grooming	\$ 10.00
Entertainment	\$ 100.00
Gifts	\$ 20.00
Religious organizations	\$ _____
Miscellaneous	\$ _____
Other: _____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

F. PAYMENTS TO CREDITORS MONTHLY

CREDITOR:	PAYMENT
Car payment	\$ 388.00
Visa	\$ 90.00
Discover	\$ 50.00
2nd Visa	\$ 80.00
Credit Card	\$ 10.00
Home Loan	\$ 184.00
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

28. TOTAL MONTHLY EXPENSES (add ALL monthly amounts in A through F above) 28. \$ 2,811.66

SUMMARY

29. TOTAL PRESENT MONTHLY NET INCOME (from line 27 of SECTION I INCOME) 29. \$ 1,927.08

30. TOTAL MONTHLY EXPENSES (from line 28 above) 30. \$ 2,811.66

31. SURPLUS (If line 29 is more than line 30, subtract line 30 from line 29. This is the amount of your surplus. Enter that amount here.) 31. \$ _____

32. (DEFICIT) (If line 30 is more than line 29, subtract line 29 from line 30. This is the amount of your deficit. Enter that amount here.) 32. (\$ 884.58)

SECTION III. ASSETS AND LIABILITIES

Use the nonmarital column only if this is a petition for dissolution of marriage and you believe an item is "nonmarital," meaning it belongs to only one of you and should not be divided. You should indicate to whom you believe the item(s) or debt belongs. (Typically, you will only use this column if property/debt was owned/owed by one spouse before the marriage. See the "General Information for Self-Represented Litigants" found at the beginning of these forms and section 61.075(1), Florida Statutes, for definitions of "marital" and "nonmarital" assets and liabilities.)

A. ASSETS:

DESCRIPTION OF ITEM(S) List a description of each separate item owned by you (and/or your spouse if this is a petition for dissolution of marriage) [check the box next to any asset(s) which you are requesting the judge award to you]	Current Fair Market Value	Nonmarital (check correct column)	
		husband	wife
<input type="checkbox"/> Cash (on hand)			
<input type="checkbox"/> Cash (in banks or credit unions)			
<input type="checkbox"/> Stocks, Bonds, Notes			
<input type="checkbox"/> Real estate: (Home)			
<input type="checkbox"/> (Other)			
<input type="checkbox"/> Automobiles			
<input type="checkbox"/> Other personal property			
<input type="checkbox"/> Retirement plans (Profit Sharing, Pension, IRA, 401 (k)s, etc.)			
<input checked="" type="checkbox"/> Other All assets and liabilities have already been divided			
<input type="checkbox"/>			
<input type="checkbox"/> I here if additional pages are attached.			
Total Assets (add column B)			

B. LIABILITIES:

DESCRIPTION OF ITEM(S) List a description of each separate debt owed by you (and/or your spouse, if this is a petition for dissolution of marriage). ✓ the box next to any debt(s) for which you believe you should be responsible.	Current Amount	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/> Mortgages on real estate			
<input type="checkbox"/> Auto loans			
<input type="checkbox"/>			
<input type="checkbox"/> Charge/credit card accounts			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input checked="" type="checkbox"/> Other All assets and liabilities have already been divided			
<input type="checkbox"/>			
<input type="checkbox"/> ✓ here if additional pages are attached.			
Total Debts (add column B)	_____		

C. CONTINGENT ASSETS AND LIABILITIES:

INSTRUCTIONS: If you have any POSSIBLE assets (income potential, accrued vacation or sick leave, bonus, inheritance, etc.) or POSSIBLE liabilities (possible lawsuits, future unpaid taxes, contingent tax liabilities, debts assumed by another), you must list them here.

Contingent Assets ✓ the box next to any contingent asset(s) which you are requesting the judge award to you.	Possible Value	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/>	\$		
<input type="checkbox"/>			
Total Contingent Assets	\$ _____		

Contingent Liabilities ✓ the box next to any contingent liability(s) for which you believe you should be responsible.	Possible Amount Owed	Nonmarital (✓ correct column)	
		husband	wife
<input type="checkbox"/>	\$		
<input type="checkbox"/>			
Total Contingent Liabilities	\$ _____		

SECTION IV. CHILD SUPPORT GUIDELINES WORKSHEET

Florida Family Law Rules of Procedure Form 12.902(e), Child Support Guidelines Worksheet, MUST be filed with

Florida Family Law Rules of Procedure Form 12.902(b), Family Law Financial Affidavit (Short Form) (9/00)

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW: [fill in all blanks]**

I, {full legal name and trade name of nonlawyer} David J. Uhlig, President of Attorney Alternatives
a nonlawyer, located at {street} 444 W. Boynton Beach Blvd., {city} Boynton Beach
{state} Florida, {phone} (561) 731-0092, helped {name} DANIEL J. LINCOLN
who is the petitioner, fill out this form.

the court at or prior to a hearing to establish or modify child support. This requirement cannot be waived by the parties.)
[one only]

- A Child Support Guidelines Worksheet IS or WILL BE filed in this case. This case involves the establishment or modification of child support.
- A Child Support Guidelines Worksheet IS NOT being filed in this case. The establishment or modification of child support is not an issue in this case.

I certify that a copy of this document was [one only] (mailed () faxed and mailed () hand delivered to the person(s) listed below on (date) 9/13/03

Other party or his/her attorney:

Name: GLEND A R. LINCOLN
Address: 7613 Country Forest Court
City, State, Zip: King, NC 27021
Fax Number: _____

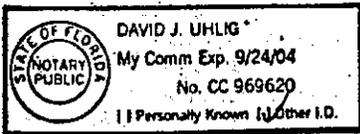
I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: 09-13-03

Daniel J. Lincoln
Signature of Party
Printed Name: DANIEL J. LINCOLN
Address: 21890 Lake Forest Circle, #203
City, State, Zip: Boca Raton, FL 33433
Telephone Number: 561-416-9846
Fax Number: _____

STATE OF FLORIDA
COUNTY OF Palm Beach

Sworn to or affirmed and signed before me on 9/13/03 by DANIEL J. LINCOLN



David J. Uhlig
NOTARY PUBLIC or DEPUTY CLERK
David J. Uhlig
[Print, type, or stamp commissioned name of notary or deputy clerk.]

Personally known
 Produced identification
Type of identification produced FL M

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO. 502003DR011056XXDIFZ

DANIEL J. LINCOLN
Petitioner

and

GLENDA R. LINCOLN
Respondent

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Nicole Saunders, ADA Coordinator in the Administrative Office of the Court, Palm Beach County Courthouse, 205 North Dixie Highway, Room 5.2500, West Palm Beach, Florida 33401; telephone number (561) 355-4380 within two (2) working days of your receipt of this order; if you are hearing or voice impaired, call 1-800-955-8771.

AMENDED ORDER OF REFERRAL TO FAMILY MEDIATION (ADR OFFICE)
PLEASE NOTE THE CHANGE OF MONTH AND TIME

The court has determined that mediation may be helpful to resolve the issue of **Child Support, Visitation, Custody, Alimony, Property Distribution.**

1. The court appoints, and the parties shall meet with, a Family Mediator in the Alternative Dispute Resolution (ADR) Office, Room 221, South County Courthouse, 200 West Atlantic Ave., Delray Beach, Fl. (561-355-2739), on ~~APRIL 8, 2004 @ 3:00 P.M.~~ Attendance by both parties (and counsel if any) is mandatory. This court shall have the power to and may impose sanctions on parties who fail to attend the session. The parties are directed to mediate in good faith.

call April 8th (561) 274-1429 Nicole

2. Each party must bring to mediation a **full financial affidavit AND verification of income, such as paycheck stubs, income tax return for the most recent year, W-2 forms or 1099 forms.**

3. All discussions, representations and statements made during mediation shall be off the record and privileged. Nothing relating to mediation shall be admitted at trial. However, the mediator shall file a report with the court advising whether the parties attended mediation, and whether an agreement was reached *by phone*.

4. **If a party needs an interpreter in order to participate in mediation, it is the responsibility of that party to bring to the mediation session a neutral adult who is fluent in BOTH English and your own language and who has the ability to translate in both languages.**

Order of Referral to Mediation
Page -2-

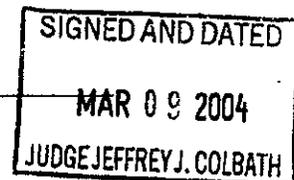
5. The fee for mediation is \$50 per party. Unless the party or parties have been found by the Clerk of Court to be indigent, each of the parties shall bring with them the sum of \$50, either in cash, check, money order, payable to Alternative Dispute Resolution Office. If a party has been found to be indigent, **that party shall bring a copy of the Clerk's Certificate to the ADR office** at or before the scheduled mediation time, in which case the fee will be waived for that party. No family mediation Order of Referral to Family Mediation session will be held for any party who fails to make the required payment unless the party has been found indigent or excused from payment below.

6. **The RESPONDENT shall be permitted to appear telephonically. That person must send payment of \$50.00 to the ADR prior to the telephonic appearance. Mail payment to Alternative Dispute Resolution Office, 205 North Dixie Highway, Room 6.2100, West Palm Beach, Florida 33401. Contact the office at (561) 355-2739, in order to make arrangements for telephonic appearance.**

7 If either party wants to reschedule the mediation session, they must file the appropriate motion with the Clerk of Court, Room 3.2200. The Court will review the motion and decide if the case can be rescheduled.

DONE AND ORDERED this _____ day of MARCH 2004, in Palm Beach County, Florida.

JEFFREY J. COLBATH



Copies furnished to:
DANIEL J. LINCOLN
21890 LAKE FOREST CIRCLE # 203
BOCA RATON, FL 33433

GLENDIA R. LINCOLN
7613 COVENTRY FOREST CT.
KING, NC, 27021

Case Manager
Alternative Dispute Resolution Office, 205 N. Dixie Hwy., Rm. 6.1200, W.P.B., FL

████████████████████

Addendum No. 1 Description of Periodic Payments

PAYEE: Shannon Lincoln

The following schedule of . deferred lump sums of cash:

\$ 7,500	paid on or about October 2, 2005
7,500	paid on or about October 2, 2006
7,500	paid on or about October 2, 2007
7,500	paid on or about October 2, 2008
10,000	paid on or about October 2, 2009
17,500	paid on or about October 2, 2014
<u>\$57,500</u>	guaranteed payout

Beneficiaries:

Primary: Daniel John Lincoln, Father
Secondary: Glenda Renee Lincoln, Mother
Secondary: Brienna Lincoln, Sister
Other: The estate of Shannon Lincoln

Daniel John Lincoln
Glenda Renee Lincoln
N/A

Church Mutual Insurance Company

By: Michael E. Parn
Claims Attorney

*Never signed, nor
seen, until '07
Glenda Renee McMillen Lincoln*

Initials

Claimant: DRJ

Assignor: MER

Assignee: PLM

minor Plaintiff, and the compromise and settlement is ratified, approved and confirmed.

2. That GLENDA RENEE LINCOLN and DANIEL JOHN LINCOLN, as parents of the minor Plaintiff, be authorized to collect the amount of the compromise and settlement for and on behalf of the minor Plaintiff, without bond, and upon receipt of the payment of the above-mentioned sum, they may, as parents of the minor Plaintiff, execute and deliver to the Defendant an instrument releasing and discharging the Defendant of and from all claims that the minor Plaintiff has, had or hereafter may have as a result of the incident referred to in the Complaint filed herein.

3. That the above-styled cause is dismissed with prejudice to the Plaintiffs, each party to bear their own costs.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida, on this the 14 day of Oct., 1992.

MEL GROSSMAN

CIRCUIT COURT JUDGE

Copies furnished to:

Joel E. Bernstein, Esquire
Glenda Renee and Daniel John Lincoln

A TRUE COPY

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA

Case No.: _____
Division: _____

DANIEL J. LINCOLN
Petitioner,

and

GLENDA R. LINCOLN
Respondent.

UNIFORM CHILD CUSTODY JURISDICTION ACT (UCCJA) AFFIDAVIT

I, {full legal name} DANIEL J. LINCOLN, being sworn, certify that the following statements are true:

The number of minor child(ren) subject to this proceeding is TWO. The name, social security number, place of birth, birth date, and sex of each child; the present address, periods of residence, and places where each child has lived **within the past five (5) years**; and the name, present address, and relationship to the child of each person with whom the child has lived during that time are:

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 1:

Child's Full Legal Name: SHANNON NICOLE LINCOLN S.S. # _____
Place of Birth: Mt. Airy, NC Date of Birth: 10/5/87 Sex: Female

Child's Residence for the past 5 years:

Dates (From/To)	Address (including city and state) where child lived	Name and present address of person child lived with	Relationship to child
<u>1996</u> <u>/present *</u>	<u>7613 Country Forest Court</u> <u>King, NC 27021</u>	<u>GLENDA R. LINCOLN</u>	<u>MOTHER</u>

* If you are the petitioner in an injunction for protection against domestic violence case and you have filed Petitioner's Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(i), you should write "confidential" in any space on this form that would require you to enter the address where you are currently living.

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # 2:

Never Seen Glenda R Lincoln

Child's Full Legal Name: BRIANNA PAIGE LINCOLN S.S. # _____
 Place of Birth: Boynton Beach, FL Date of Birth: 7/10/90 Sex: Female

Child's Residence for the Past 5 years:

Dates (From/To)	Address (including city and state) where child lived	Name and present address of person child lived with	Relationship to child
<u>1996</u> <u>/present *</u>	<u>7613 Country Forest Court</u> <u>King, NC 27021</u>	<u>GLENDA R. LINCOLN</u>	<u>MOTHER</u>
<u> / </u>			

THE FOLLOWING INFORMATION IS TRUE ABOUT CHILD # _____ :

Child's Full Legal Name: _____ S.S. # _____
 Place of Birth: _____ Date of Birth: _____ Sex: _____

Child's Residence for the past 5 years:

Dates (From/To)	Address (including city and state) where child lived	Name and present address of person child lived with	Relationship to child
<u>/present *</u>			
<u> / </u>			

2. Participation in custody proceeding(s):

one only

I HAVE NOT participated as a party, witness, or in any capacity in any other litigation or custody proceeding in this or any other state, concerning custody of a child subject to this proceeding.

I HAVE participated as a party, witness, or in any capacity in any other litigation or custody

proceeding in this or another state, concerning custody of a child subject to this proceeding. Explain:
a. Name of each child: SHANNON NICOLE LINCOLN and BRIANNA PAIGE LINCOLN
b. Type of proceeding: Separation and Property Settlement Agreement
c. Court and state: General Court of Justice, District Court, Stokes County, NC
d. Date of court order or judgment (if any): 5/23/96

3. Information about custody proceeding(s):

one only

I HAVE NO INFORMATION of any custody proceeding pending in a court of this or any other state concerning a child subject to this proceeding.

I HAVE THE FOLLOWING INFORMATION concerning a custody proceeding pending in a court of this or another state concerning a child subject to this proceeding, other than set out in item 2. Explain:

a. Name of each child: _____
b. Type of proceeding: _____
c. Court and state: _____
d. Date of court order or judgment (if any): _____

4. Persons not a party to this proceeding:

one only

I DO NOT KNOW OF ANY PERSON not a party to this proceeding who has physical custody or claims to have custody or visitation rights with respect to any child subject to this proceeding.

I KNOW THAT THE FOLLOWING NAMED PERSON(S) not a party to this proceeding has (have) physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this proceeding:

a. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation rights.

Name of each child: _____

b. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation rights.

Name of each child: _____

c. Name and address of person: _____

() has physical custody () claims custody rights () claims visitation rights.

Name of each child: _____

5. Knowledge of prior child support proceedings:

one only

The child(ren) described in this affidavit are NOT subject to existing child support order(s) in this or any state or territory.

The child(ren) described in this affidavit are subject to the following existing child support order(s):

a. Name of each child: SHANNON NICOLE LINCOLN and BRIANNA PAIGE LINCOLN

b. Type of proceeding: Separation and Property Settlement Agreement

c. Court and address: General Court of Justice, District Court, Stokes County, NC

d. Date of court order/judgment (if any): 5/23/96

e. Amount of child support paid and by whom: 150.00 per week paid by Petitioner

6. I acknowledge that I have a continuing duty to advise this Court of any custody, visitation,

child support, or guardianship proceeding (including dissolution of marriage, separate maintenance, child neglect, or dependency) concerning the child(ren) in this state or any other state about which information is obtained during this proceeding.

I certify that a copy of this document was [one only] () mailed () faxed and mailed () hand delivered to the person(s) listed below on (date) _____

Other party or his/her attorney:

Name: GLEND A R. LINCOLN
Address: 7613 Country Forest Court
City, State, Zip: King, NC 27021
Fax Number: _____

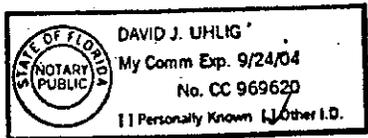
I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: 09-13-03

Daniel J. Lincoln
Signature of Party
Printed Name: DANIEL J. LINCOLN
Address: 21890 Lake Forest Circle, #203
City, State, Zip: King, NC 27021
Telephone Number: 561-416-9846
Fax Number: _____

STATE OF FLORIDA
COUNTY OF Palm Beach

Sworn to or affirmed and signed before me on 9/13/03 by DANIEL J. LINCOLN



[Signature]
NOTARY PUBLIC or DEPUTY CLERK
David J. Uhlig
[Print, type, or stamp commissioned name of notary or

clerk.]
 Personally known
 Produced identification
Type of identification produced FL DL

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} David J. Uhlig, President of Attorney Alternatives
a nonlawyer, located at {street} 444 W. Boynton Beach Blvd., {city} Boynton Beach
{state} Florida, {phone} (561) 731-0092, helped {name} DANIEL J. LINCOLN
who is the petitioner, fill out this form.

____ d. The child(ren) common to both parties who are 18 or older but who are dependent upon the parties due to a mental or physical disability are:

Name	Place of Birth	Birth date	Sex
_____	_____	_____	_____
_____	_____	_____	_____

5. A completed Uniform Child Custody Jurisdiction Act (UCCJA) Affidavit, Florida Supreme Court Approved Family Law Form 12.902(d), is filed with this petition. (You must complete and attach this form in a dissolution of marriage with minor child(ren)).

6. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.9020), is filed with this petition.

7. This petition for dissolution of marriage should be granted because:

one only

- a. The marriage is irretrievably broken.
- ____ b. One of the parties has been adjudged mentally incapacitated for a period of 3 years prior to the filing of this petition. A copy of the Judgment of Incapacity is attached.

SECTION 1. MARITAL ASSETS AND LIABILITIES

one only

- 1. There are no marital assets or liabilities.
- ____ 2. There are marital assets or liabilities. All marital and nonmarital assets and liabilities are (or will be) listed in the financial affidavits, Florida Family Law Rules of Procedure Form 12.902(b) or (c), to be filed in this case.

all that apply

- ____ a. All marital assets and liabilities have been divided by a written agreement between the parties, which is attached, to be incorporated into the final judgment of dissolution of marriage. (The parties may use Marital Settlement Agreement for Dissolution of Marriage with Dependent or Minor Child(ren), Florida Supreme Court Approved Family Law Form 12.902(t)(1).
- ____ b. The Court should determine how the assets and liabilities of this marriage are to be distributed, under section 61.075, Florida Statutes.
- ____ c. Petitioner should be awarded an interest in Respondent's property because: _____

SECTION II. SPOUSAL SUPPORT (ALIMONY)

one only

- 1. Petitioner forever gives up his/her right to spousal support (alimony) from Respondent.
- ____ 2. Petitioner requests that the Court order Respondent to pay the following spousal support (alimony) and claims that he or she has a need for the support that he or she is requesting and Respondent has the ability to pay that support. Spousal support (alimony) is requested in the amount of _____

\$_____ every () week () other week () month, beginning {date} _____
and continuing until {date or event} _____

Explain why the Court should order Respondent to pay and any specific request(s) for type of alimony (temporary, permanent rehabilitative, and/or lump sum): _____

[if applies] () Petitioner requests life insurance on Respondent's life, provided by Respondent, to secure such support.

SECTION III. CHILD CUSTODY, PARENTAL RESPONSIBILITY, AND VISITATION

1. The minor child(ren) currently reside(s) with () Mother () Father () Other: {explain} _____

2. Parental Responsibility. It is in the child(ren)'s best interests that parental responsibility be:
[one only]
 a. shared by both Father and Mother.
_____ b. awarded solely to () Father () Mother. Shared parental responsibility would be detrimental to the child(ren) because: _____

3. Primary Residential Parent (Custody). It is in the best interests of the child(ren) that the primary residential parent be () Father () Mother () undesignated () rotating because: _____

4. Visitation or Time Sharing. Petitioner requests that the court order

- [all that apply]
- _____ a. no visitation.
 - _____ b. limited visitation.
 - _____ c. supervised visitation.
 - _____ d. supervised or third-person exchange of child(ren).
 - _____ e. visitation or time sharing as determined by the Court.
 - f. a visitation or time sharing schedule as follows:

Explain the requested visitation or time sharing schedule:

We already have a visitation schedule

Explain why this request is in the best interests of the child(ren): _____

Has the above visitation or time sharing schedule been agreed to by the parties? (✓) yes () no

SECTION IV. CHILD SUPPORT

[✓ all that apply]

_____ 1. Petitioner requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), is, or will be filed. Such support should be ordered retroactive to:

- _____ a. the date of separation {date} _____
- _____ b. the date of the filing of this petition.
- _____ c. other {date} _____ {explain} _____

_____ 2. Petitioner requests that the Court award child support to be paid beyond the age of 18 years because:

- _____ a. the following child(ren) {name(s)} _____ is (are) dependent because of a mental or physical incapacity which began before the age of 18. {explain} _____
- _____ b. the following child(ren) {name(s)} _____ is (are) dependent in fact and is (are) in high school while he/she (they) are between the ages of 18 and 19; said child(ren) is (are) performing in good faith with reasonable expectation of graduation before the age of 19.

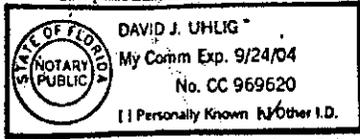
_____ 3. Petitioner requests that the Court award a child support amount that is more than or less than Florida's child support guidelines. Petitioner understands that Motion to Deviate from Child Support Guidelines, Florida Supreme Court Approved Family Law Form 12.943, must be filed before the court will consider this request.

_____ 4. Petitioner requests that medical/dental insurance coverage for the minor child(ren) be provided by:

- [✓ one only]
- _____ a. Father.
- _____ b. Mother.

_____ 5. Petitioner requests that uninsured medical/dental expenses for the child(ren) be paid:

- [✓ one only]
- _____ a. by Father.
- _____ b. by Mother.
- _____ c. by Father and Mother [each pay one-half].
- _____ d. according to the percentages in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e).
- _____ e. Other {explain}: _____



[Handwritten Signature]

NOTARY PUBLIC or DEPUTY CLERK
David J. Uhlig

[Print, type, or stamp commissioned name of notary or deputy clerk.]

 Personally known
 Produced identification
Type of identification produced FL DL

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} David J. Uhlig, President of Attorney Alternatives
a nonlawyer, located at {street} 444 W. Boynton Beach Blvd., {city} Boynton Beach
{state} Florida, {phone} (561) 731-0092, helped {name} DANIEL J. LINCOLN
who is the petitioner, fill out this form.

NORTH CAROLINA)
STOKES COUNTY)

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
96 CVD 204

GLEND⁴A RENE⁴E LINCOLN,
Plaintiff,
DANIEL JOHN LINCOLN,
Defendant.

FILED
VS
28 PM 2
1976
STOKES COUNTY, NC

CONSENT ORDER

THIS MATTER coming on to be heard and being heard before the undersigned Judge presiding over the civil session of Stokes County District Court upon consent of the parties;

AND IT APPEARING to the Court that the Plaintiff is represented by Michael R. Bennett, Esquire, of the law firm of Stover, Cromer & Bennett of King, North Carolina, and the Defendant is represented pro se;

AND IT APPEARING to the Court that the parties have resolved all issues in controversy between the parties and raised in the pleadings in this matter including equitable distribution, child custody and child support;

AND BY CONSENT OF THE PARTIES, the Court hereby makes the following:

FINDINGS OF FACT

1. That the Plaintiff is a citizen and resident of Stokes County, North Carolina and the Defendant is a citizen and resident of Boca Raton, Florida.
2. That the Plaintiff and Defendant were lawfully married in 1982 and separated in 1993 with the intentions of living separate

and apart, and have not resumed the marital relationship since that time.

3. That of the marriage between Plaintiff and Defendant, two children were born, to wit: Shannon Nicole Lincoln, born October 2, 1987, and Brianna Paige Lincoln, born July 10, 1990.

4. That the Plaintiff is a fit and proper person in all respects to be awarded legal custody of the minor children, and the Defendant is a fit and proper person in all respects to be allowed visitation with the minor children as set forth in this Order. Further, it is in the best interests of the said minor children that full legal custody be awarded unto the Plaintiff, with the Defendant having visitation as set forth in this Order.

5. That the Plaintiff is in need of regular and sufficient support for the health, maintenance, and welfare of the minor children. That the Defendant is an able-bodied man employed and capable of earning, and in fact earning, sufficient sums to pay child support to the Plaintiff for the partial support and maintenance of the minor children. That the parties have stipulated that the Defendant shall pay to the Plaintiff the amount of \$150.00 on a weekly basis, which shall be garnished from his wages as set forth in this Order. That said amount is reasonable.

6. That the attached Separation Agreement and Property Settlement resolves all issues concerning the parties and is hereby incorporated as if fully set forth herein, and shall be enforceable by the contempt powers of the Court.

7. That the minor children have resided in the State of North Carolina for a period in excess of six months prior to this action and, therefore, North Carolina is the home state for purposes of determining custody, visitation, and child support for the minor children.

Based upon the previous Findings of Fact, the Court hereby makes the following:

CONCLUSIONS OF LAW

1. That the Court has jurisdiction over the parties and the subject matter of this action.

2. That the parties have entered this Consent Order after full review of this matter and said Consent Order and Separation Agreement and Property Settlement attached hereto and incorporated herein are the result of informed decision making and is not the result of coercion or duress by either party.

3. That the Consent Order and Separation Agreement and Property Settlement are in the best interests of the minor children of the parties, taking into consideration all circumstances concerning the welfare and maintenance of the minor children.

Based upon the previous Findings of Fact and Conclusions of Law, the Court hereby makes the following:

ORDER

1. That the attached Separation Agreement and Property Settlement is hereby incorporated herein as if fully set forth and is made a part of this Order and shall be enforceable by the contempt powers of the Court.

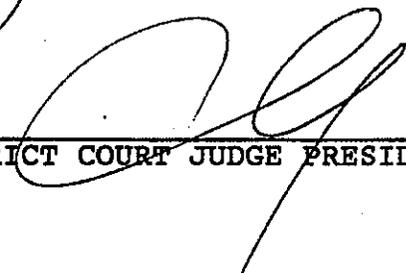
2. That the issues of custody of the minor children, child support, and property distribution are hereby resolved by the incorporated Separation Agreement and Property Settlement.

3. That this Order shall be considered a bar from either party maintaining an action upon issues concerning the minor children except upon appropriate motion based on a substantial and

material change in circumstances which adversely affect the best interests of the minor children or upon a showing of material and substantial change in circumstances which requires the Court to recalculate under the North Carolina Child Support Guidelines.

4. That this Order shall be deemed a Court Order, enforceable by the contempt powers of the Court.

This the 23 day of May, 1996.



DISTRICT COURT JUDGE PRESIDING

CONSENT TO:



GLENDA RENEE LINCOLN, PLAINTIFF



MICHAEL R. BENNETT
ATTORNEY FOR PLAINTIFF



DANIEL JOHN LINCOLN, DEFENDANT

Hayworth-Miller Funeral Home
 PO Box 673
 Rural Hall, NC

(9) **Statement**
2 pages

Phone: (336) 969-5593

To:
 Glenda Renee Lincoln
 7613 Coventry Forest Ct
 King NC 27021

Please Mail payments to:
 Hayworth-Miller Funeral Home
 PO Box 673
 Rural Hall NC

Be sure to include account number with payment!

Contract Date	Statement Date	Account Number	Regarding	Date of Death
May 12, 2006	2/10/2010	06-056	Lincoln, Shannon Nicole	5/9/2006
Transaction Date	Transaction Description		Amount	Balance
	Balance Itemized List Of Goods and Services		\$2,741.90	\$2,741.90
May 17, 2006	Payment Ref: Barbara McMillian		(\$495.00)	\$2,246.90
Jun 26, 2006	Payment Ref: Wayne Lowe		(\$500.00)	\$1,746.90
Mar 10, 2008	Death Certificates		\$30.00	\$1,776.90
Jan 07, 2010	Payment Ref: Glenda Lincoln-Ck #1361		(\$20.00)	\$1,756.90

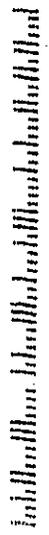


HAYWORTH-MILLER
FUNERAL HOME, INC.

305 Highway 65 West
Post Office Box 673
Rural Hall, NC 27045



27021+5204



6383041

2 pages

DATE March 9, 1993

DEPARTMENT OF CLINICS
BOWMAN GRAY SCHOOL OF MEDICINE

EXAMINING PHYSICIAN C.L. Branch, Jr

LOCATION DOC

SERVICE Neurosurgery

NAME Lincoln, Glenda Renee

7-5-63

UNIT NO. 111 85 29

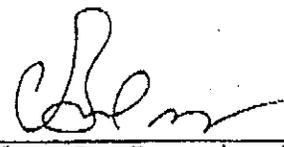
ADDRESS _____ PHONE _____

SIGNATURE

Ms. Lincoln comes back for follow up after her posterior fossa aneurysm procedure. She really looks much better. Her overall demeanor has improved. She appears to have gotten her strength and zest back. Her wound is healed quite well. She is no longer taking any medication. She does have a mild right anisocoria. Otherwise there is no dramatic perceptible residual neurologic dysfunction. Although she does complain of a little dizziness or easy fatiguability, which is expected.

I have released her to return to her home in Florida to resume many of her activities, with some caution at first. I will be happy to send her records to a physician in Florida when that request is forwarded to us.

I will see her again if necessary.



Charles L. Branch, Jr., M.D.

CLB/lv

cc: Dr. Harold Thomas
Emergency Department NCBH

☎ 6383041

P11

Wake Forest University Physicians
Bowman Gray School of Medicine
Medical Center Boulevard, Winston-Salem, North Carolina 27157-1029
Telefax (919) 716-3065

Date September 15, 1993

Location Neurosurgery

Physician Charles L. Branch, Jr., M.D.

Patient Name Lincoln, Glenda Renee

B/D 7-5-63 Unit No. 111 85 29

Ms. Lincoln is the interesting lady who had the posterior fossa aneurysm clipped I think back earlier in the year. She is recovering appropriately. She has had some real significant marital or family stress that has affected her recovery and outlook a little.

Today she complains of intermittent headaches that are I believe migraine like headaches. She is dizzy occasionally, but is doing pretty well working around the house and taking care of her children.

She is currently taking Amoxicillin 500 mgs two or three times a day for a skin infection.

From my perspective she really is doing quite well. I tried to reassure her of this and I believe that is what she needed and wanted. I will see her again if she develops symptoms that warrant further work up.



Charles L. Branch, Jr., M.D.

CLB/iv

(b) 3 pages

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF
DANNY LINCOLN,
Petitioner/Husband,
and
GLEND A LINCOLN
Respondent/Wife.

Case No. CD-93-7656-FC

ORDER ESTABLISHING TEMPORARY CUSTODY
& SETTING CHILD SUPPORT & VISITATION

THIS CAUSE came before the court for temporary relief. The petitioner/husband appeared with counsel; the respondent/wife appeared pro se. From the testimony and evidence presented, it is,

ORDERED and ADJUDGED as follows:

1. The petitioner wife is granted temporary residential custody of the parties' minor children.
2. The respondent husband is granted liberal and reasonable visitation with the children in accord with the schedule for out-of-state visitation.

Child Custody and Visitation Requirements
(Out-of-State Parent) continued

3. VACATION FOR CHILD NOT ENROLLED IN SCHOOL: Non-residential parent- one month each year, to coincide with the non-residential parent's vacation from his or her employment. Notice of the dates of such vacation period shall be given to the residential parent no less than 60 days before the one-month visitation begins. The vacation visitation will last 30 consecutive days, and may not be "split" into lesser blocks of time unless both parties agree.

4. SUMMER VACATION FOR CHILD ENROLLED IN SCHOOL: Non-residential parent - from 5:00 PM on the second Friday after the end of the school year, to 5:00 PM on the eighth Sunday following the conclusion of the school year. residential parent - one weekend visitation during the child's summer vacation with the non-residential parent, from 5:00 PM on the fifth Friday after conclusion of the school year, to 7:00 PM on the following Sunday.

A. Summer School: If the child is required to attend Summer School to pass to the next grade, it must be attended, and the above-described Summer Vacation Visitation Schedule does not apply. Weekend Visitation as set forth in Paragraph of 1 of this Order will apply during Summer School. The non-residential parent's summer vacation visitation will commence at 5:00 PM on the Friday following the conclusion of Summer School, and last to 7:00 PM on the seventh Sunday following the conclusion of Summer School or 7:00 PM on the Sunday immediately prior to commencement of the new school year, whichever comes first.

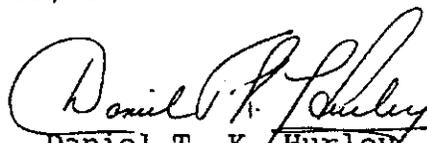
5. WAITING: The child and residential parent are required to wait no more than 30 minutes for the non-residential parent to pick up the child to begin any visitation. A parent who is late (over 30 minutes) in picking up a child from the other parent forfeits his or her right of visitation for that day.

6. CANCELLATIONS: Cancellation of visitation by either parent can only occur with consent of both parties. The request for cancellation must be given to the other party no later than 5:00 PM on the Wednesday before the visitation begins; for summer and spring vacations, the request must be made no less than 30 days before the vacation is scheduled to begin. If the cancellation is not agreed to by both parties, the parent seeking to cancel visitation must arrange and pay for baby sitting, child-care, or other appropriate supervision of the child for the visitation period. Failure to properly provide for care and supervision of the child under such circumstances may result in loss of future visitation rights.

7. CONFLICTS: Regular Weekend and Summer Visitation

3. Effective Friday, November 26th, 1993, and each Friday thereafter, the respondent/husband shall pay the sum of \$150.23 per week as support for his two children. This sum, plus a processing fee of \$ 5.25, shall be paid through the registry of the court and shall be delivered to the Clerk of Court, Room 219, Palm Beach County Courthouse, or P. O. Box 3597, West Palm Beach, Florida 33402-3597.

DONE and SIGNED in Chambers at West Palm Beach, Florida, this 19th day of November, 1993.


Daniel T. K. Hurley
Circuit Judge

cc: Copies provided to the parties.

Blenda Lincoln
7613 Coventry Forest Ct.
King, N.C. 27021

United States II
Southern District
Office of the Clerk
400 North Miami C
Miami, Florida

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-81174-CIV-COHN/SELTZER

HOUSEHOLD LIFE INSURANCE COMPANY,
a Michigan corporation,

Plaintiff,

v.

DANIEL LINCOLN; GLENDA LINCOLN; and
BRIANNA LINCOLN,

Defendants.

**ORDER CONSTRUING DEFENDANT GLENDA LINCOLN'S LETTERS AS HER
ANSWER TO THE INTERPLEADER COMPLAINT**

THIS CAUSE is before the Court on Glenda Lincoln's Letters written on December 20, 2010 [DE 21] ("December 20th Letter"), January 27, 2011 [DE 23] ("January 27th Letter"), and February 12, 2011 [DE 24] ("February 12th Letter"), (together, "Letters"). The Court has considered the Letters and the record in this case, and is otherwise advised in the premises.

This is an action pursuant to 28 U.S.C. § 1335 for Interpleader concerning the guaranteed proceeds payable on a structured settlement agreement and annuity ("Settlement Agreement") of deceased payee Shannon Nicole Lincoln ("Shannon"). Plaintiff in this action, Household Life Insurance Company ("HLIC"), holds the obligation to disperse periodic payments due under the Settlement Agreement. According to the Interpleader Complaint, Shannon's father Daniel, mother Glenda, and sister Brianna have competing claims to the remaining Settlement Agreement payments. Based on HLIC's doubt as to who is entitled to the disputed payments, HLIC filed its Interpleader Complaint on October 4, 2010, in order to be relieved of multiple liability on the conflicting claims.

On November 16, 2010, Daniel filed his Answer [DE 5]. Thereafter, the Court

denied Daniel's Motion for Default Judgment Against Defendants Glenda Lincoln and Brianna Lincoln [DE 17], and directed Glenda and Brianna to file their Answers to the Interpleader Complaint by February 7, 2011. DE 22.

In her December 20th Letter, Glenda stated that she had not yet retained counsel for herself and Brianna, but that she was still attempting to do so. See DE 21. She also set forth her version of the facts in this case and explained why she believes to have a valid claim to the funds at issue. See id. Initially, the Court did not construe Glenda's letter as her Answer because the letter did not comply with the admit/deny format required under Rule 8 of the Federal Rules of Civil Procedure. See DE 22. In her January 27th and February 12th Letters, Glenda represents that she still has not been able to retain counsel, despite asking over thirty people to help her. DE 23 at 5. She attaches a series of documents in support of her position. See DE's 23, 24. Accordingly, reading this *pro se* litigant's pleadings liberally,¹ the Court will construe Glenda's Letters as her Answer to the Interpleader Complaint.²

¹ The Court cautions Glenda, however, that all *pro se* litigants must comply with the Federal Rules of Civil Procedure and the Local Rules for the Southern District of Florida. The Court does not have "license to serve as de facto counsel for a party . . . or to rewrite an otherwise deficient pleading in order to sustain an action." GJR Investments, Inc. v. County of Escambia, Fla., 132 F.3d 1359, 1369 (11th Cir. 1998) (citations omitted).

² Brianna, however, has not filed an Answer, nor has she appeared in this case. Though Glenda seemingly purports to represent Brianna as well as herself in her December 20, 2010 letter, see DE 21, individuals may only appear in federal court "personally or by counsel." 28 U.S.C. § 1654. Only a licensed lawyer may represent another person in court. Guajardo v. Luna, 432 F.2d 1324, 1324 (5th Cir. 1970); Roberts v. McDonough, Case No. 3:08cv245/LAC/EMT, 2008 WL 2557537, at *1 (N.D. Fla. June 23, 2008).

Federal Rule of Civil Procedure 17 will allow Brianna to be represented by another if she is legally minor or incompetent, but the Court has no reason to believe Brianna is either minor or incompetent. Specifically, Rule 17(c) provides as follows:

(c) Minor or Incompetent Person.

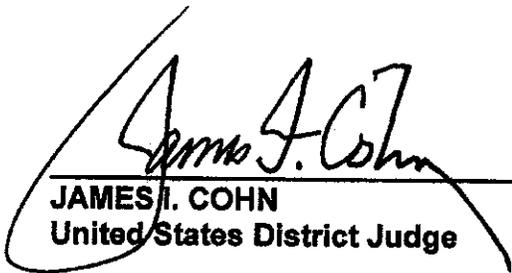
(1) With a Representative. The following representatives may sue or defend on behalf of a minor or an incompetent person:

(A) a general guardian;

Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendant Glenda Lincoln's Letters [DE's 21, 23, 24] will be construed as her Answer to the Interpleader Complaint.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, on this 25th day of February, 2011.



JAMES J. COHN
United States District Judge

Copies provided to:
Counsel of record via CM/ECF
Pro se parties via regular mail

-
- (B) a committee;
 - (C) a conservator; or
 - (D) a like fiduciary.

(2) Without a Representative. A minor or an incompetent person who does not have a duly appointed representative may sue by a next friend or by a guardian ad litem. The court must appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action.

Fed. R. Civ. P. 17(c).

March 25, 2011

United States District Court
Southern District of Florida

Case No # 10-81174 - CIV
COHN / SELTZER

To: Clerk of Court
Honorable James S. Cohn
From: Glenda Renee McMillian
Lyncoln

Letters enclosed.

Thank you,
Glenda R. Lyncoln

(1)

Dear Clerk of Court, March 25, 2011

I, Blenda Renee McMillian Lincoln is most appreciative for the generosity the Court has given me, accepting my (Blenda's) letters, "Constructing Answer to the Interpleader Complaint". Please know, I know I must comply with all of the rulings in the state of Fla.

This letter in question would be about Brianna Paige Lincoln, my baby daughter. Yes, I did write on Brianna's behalf when she was in the Substance Abuse Program on recovery house. After leaving from the recovery house and she came home she showed her all the letters she had received and she was aware of the Interpleader to be filled out, at first she was all for trying to get this in, then she knew I had no lawyer, also she had spoken with her father (Danny) which told her to stay out of it. (Danny) told (his) let your Mother (Blenda) & himself (Danny) to take this case. After Brianna had read letters I had written to court,

Con't pg 2

March 25, 2011

also Danny had gotten them to, he called Brianna here in N.C. to ask her to please call his lawyer and tell him what I had written was not true. She told me mother I can't call his lawyer and tell him that ~~is~~ not true, because he knows it is all true. Brianna moved from my home approx a month ago, she does call me every other day, she said her father had been sending her money, therefore I don't know if Brianna called his lawyer or not. I just pray she did the right thing. The last time Brianna & I spoke, she said her father Danny wanted her to write to the court and tell them he would be better to take care of all monies, she said once again, she was not getting in the middle of this. I called the Court house in Florida and spoke with a precious young lady named (Airel) I spoke with her about Brianna, she (Airel) said she Brianna would need to write a letter and put in my paperwork that I send to you all, stating she wanted no part of this case -

can't pg(3)

March 25, 2011

Brianna told me her mother (Glenda) that she would not write anything to put in my letters to Florida, therefore I'm giving you her phone no^{tt} 775-8205 area code 336 I told Brianna I would be giving the Court her cell phone number, she said that would be fine. Also, I would like for you all to know what? Brianna said on her last excursion to Florida July 1st til July 11th or 12th. Daddy (Danny) will never get by with what all his doing in this case.

2010

Please know I was only trying to let you all know, Brianna was doing better, that when I sent the Certificate of Completion from (Aac). I never felt 21 days was enough, but was a great start. I never saw (Danny) trying to get any help for our daughter (Brianna), and yes I did want Brianna to have her part, not Danny (Brianna) & I were with Shannon 24-7 Danny didn't even know Shannon nor want to know Shannon (Repudiated) "to disown a child"

I wrote that Brianna have the money put aside for her as she continues going to all her meeting, completing her schooling, college, part time work, and a car is needed. Shannon would want that for Brianna, "Only if she was stable and in the right state of mind."

cont p 6

March 25, 2011

I ask this money for Brianna, not for me, to be put in Trustee hands that she receive periodic payments of 15,000, to know as she is growing she would make the right decision and invest wisely, so she may have a wonderful successful & prosperous life. I am not writing this to seemingly purported (false) (selfish) to represent Brianna. This is how I feel this should be carried out. I raised the girls myself, not to be boastful of myself, but I never dated, my girls never saw me with anyone but their father (Nanny). I never drank or did drugs. My girls were my first priority and they were taken to church, as I am a very firm believer in God, and my girls were taught the right way.

Please accept my apology for all the he said, she said, I just feel you all should know what is really going on in this case. Then again, it could all be lies, but I can assure you (Nanny) the girls father has always been a deceiver.

Sincerely,
Glenda R. McMillian Fisher

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case #10-81174-CIV-COHN-SELTZER

HOUSEHOLD LIFE INSURANCE COMPANY

Plaintiff,

VS.

DANIEL LINCOLN; GLENDA LINCOLN;
and BRIENNA LINCOLN,

Defendant.

NOTICE OF MEDIATION

TO: GLENDA LINCOLN
7613 Coventry Forest Court
King, NC 27021

BRIENNA LINCOLN
5120 Ambercrest Drive
Apartment 5A
Winston-Salem, NC 27106

YOU ARE HEREBY NOTIFIED that the above cause is set down for **MEDIATION**
pursuant to Order Requiring Mediation (DE 16):

BEFORE: Mediator, Ronald David

AT THE: Lavalley, Brown & Ronan, P.A.
750 South Dixie Highway
Boca Raton, FL 33432

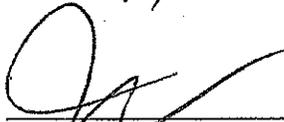
ON: Wednesday, May 4, 2011

AT: 10:00 a.m.

or as soon thereafter as the same may be heard.

PLEASE GOVERN YOURSELF ACCORDINGLY.

IT IS HEREBY CERTIFIED that a true copy of the foregoing NOTICE OF MEDIATION was furnished to the above-named addressee(s) this 14 day of April, 2011.



JEFF M. BROWN
FLORIDA BAR NO.: 197912
750 South Dixie Highway
Boca Raton, Florida 33432
(561) 395-0000
(800) 795-0995

Certificate of Service

I HEREBY CERTIFY that on the 14 day of April 2011, I electronically transmitted the attached document to the Clerk of Court using ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant: Traci Hope Rollins, Squire Sanders & Dempsey LLP, 1900 Phillips Point West 777 S. Flagler Drive Suite 1900 West Palm Beach, Florida 33401 and Javier Asis Lopez, Esq., Squire Sanders & Dempsey LLP, Wachovia Financial Center 200 S. Biscayne Boulevard 41st Floor Miami, Florida 33131; *a copy mailed* to GLENDA LINCOLN, 7613 Coventry Forest Court, King, NC 27081 and to BRIANNA LINCOLN, 5120 Ambercrest Drive, Apartment 5A, Winston-Salem, NC 27106.

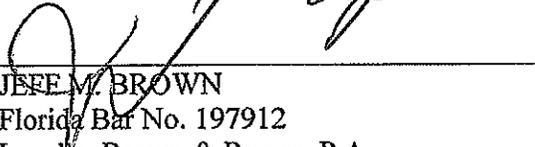


JEFF M. BROWN
Florida Bar No. 197912
Lavalle, Brown & Ronan, P.A.
750 South Dixie Highway
Boca Raton, FL 33432
561-395-0000
jbrown@lavallebrown.com

purpose of discovery, for use at trial, or for such other purposes as are permitted under the applicable Statutes or the Rules of Court.

Said Deposition shall be taken pursuant to the Florida Rules of Civil Procedure for purposes of discovery and use at trial. The said Deposition will continue from hour-to-hour and from day-to-day until completed.

I HEREBY CERTIFY that a true copy of the foregoing Notice of Taking Deposition(s) was furnished to the addressee(s) herein this 14 day of April, 2011.


JEFF M. BROWN
Florida Bar No. 197912
Lavalle, Brown & Ronan, P.A.
750 South Dixie Highway
Boca Raton, FL 33432
561-395-0000
jbrown@lavallebrown.com

Certificate of Service

I HEREBY CERTIFY that on the 14 day of April, 2011, I electronically transmitted the attached document to the Clerk of Court using ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant: Traci Hope Rollins, Squire Sanders & Dempsey LLP, 1900 Phillips Point West 777 S. Flagler Drive Suite 1900 West Palm Beach, Florida 33401 and Javier Asis Lopez, Esq., Squire Sanders & Dempsey LLP, Wachovia Financial Center 200 S. Biscayne Boulevard 41st Floor Miami, Florida 33131.


JEFF M. BROWN
Florida Bar No. 197912
Lavalle, Brown & Ronan, P.A.
750 South Dixie Highway
Boca Raton, FL 33432
561-395-0000
jbrown@lavallebrown.com

REC'D by _____ D.C.

APR 18 2011

STEVEN M. LARMORE
CLERK DIST. CT.
S. D. OF FLA. - MIAMI

United States District Court
Southern District of Florida

Case no # 10-81174-CIV-Cohn/Boltzer

Clerk of Court

Honorable Judge James L. Cohn

Letter April 11, 2011
Document enclosed.

Respectfully,
Glenda R. McMillan-Jacob

(1)

Dear Clerk of Court, April 11, 2011
I, Glenda Renee McKillian
Lincoln We sending you this document
from my attorney in N.C. I went by
his office to sign the Beneficiary state-
ment which he an Lincoln Financial
requested. A few weeks went by and
Mr. Mills my attorney here in N.C. ask
Brianna to sign one plus. I felt at
the time Brianna was not ready to
make the right decisions with any monies,
due to the fact I was not told how this
would be dispersed. I took her every-
where to get help for all things she had
dealing with. She (Brianna) then went
to Florida to stay with whom ever, that's
when Shannon's policy went to Florida also
Hanny & Brianna signed them, my atty
said. Less than approx 4 mos later, her
grandmother Lincoln called to say she
an Brianna's father (Hanny) had put
her on a bus to come home to N.C.

Cont pg(2)

April 11, 2011

Again, please know Shannon age 5 yrs. old, an (Glenda) went with Joel Bernsein to his office in Fort - Florida to sign papers, that's when, where I wrote my mother down as sole Beneficiary in case of my daughter's death. Also I signed a document which he said would be on file, this was after leaving Broward Court House with Judge Mel Grossman. It was brought to my attention Shannon had signed Danny or Daniel Lincoln over to be sole Beneficiary, she could not write at age 5.

My main concern at this time is a nice lady from Danny's Attorney's office name Camil, she called to ask what dates for mediation would be good, also time, she would call Breanna and call me back. After a couple of days not hearing from her, I decided to call her to check for date and time. I called today No# 561-395-0000 Camil was busy and unable to talk, therefore I was connected with a gentleman, he said he was case management and gave me his name Richard Dagdorian, he ask if I had representation, I told him 'no, he said I would be accounted for what I said, at that time I felt he was Danny's Attorney. I was not calling to speak to Danny's Attorney, I just wanted the day & time for mediation, which Camil said we could do it by phone.

Cont. pg. 2

April 11, 2011

He continued to ask me questions, there-
fore I answered them. At times he made
me feel very uncomfortable, after I (Blonda)
ask him, please don't be so stupid or blunt
with me. He was very considerate with me.
But obviously he had our case before him
and he was speaking years & amounts about
the annuity, which did not sound as
correct as I thought, but I did not have
the paper work before me, therefore I wanted
to write the court or judge to make sure
was correct in his adding as well as I. He
said we could clear this case up right
now, if I made a proposal, I paid 5,000.00
to (Danny), Shannon's father. She needs 5,000.00
for car now, an approx 7,000.00 to 10,000.00
at the last payout in 2014 for Brianna if
she's doing well, Brianna to invest her money in
stocks, bonds, shares, Banking C.D.'s savings.
After signing her statement from Lincoln Fi-
nancial. The family Lincoln's took her to Bank
of America and opened her an account in
Florida.

In my paper work mediation is
to be completed by June 3rd Mr. Richard
Bagdasarian said I had to be down in
Florida May 4th. I didn't know what to say
after Carol said I could do it by phone.
I told him she said I could do it by
phone, he said it could & would be changed,
which I don't feel this is right, due to the fact
I live in N.C.

cont pg 4

April 11, 2011

I ask that he please send letter for me to keep as the date I was to be there, to my knowledge he said that wasn't necessary.

Please excuse the 1st page as my other black pen stopped writing.

Sincerely,
Glenda R McMillian Lincoln

STATE OF NORTH CAROLINA 

Edward L. Smith
Commissioner of Motor Vehicles

DRIVER LICENSE 3492018



GLEND A MCMILLIAN LINCOLN
7813 COVENTRY FOREST CT
KING NC 27021-8204

class: C endor: None restr: 1
issued: 07-31-2008 expires: 07-31-2018
sex: F ht: 5-04 eyes: GRN hair: BRN

birthdate: 07-05-1963

GARY J. MILLS
ATTORNEY AT LAW
214 EAST MARION STREET
P. O. BOX 1397
PILOT MOUNTAIN, NORTH CAROLINA 27041

TELEPHONE: (336) 368-2117

FAX: (336) 368-9168

October 2, 2008

Mrs. Glenda Lincoln
7613 Coventry Forest Court
King, NC 27021

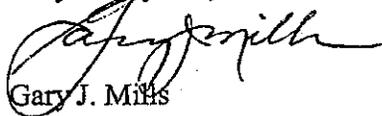
RE: Lincoln Financial Group
Beneficiary Statement

Dear Glenda:

Since you have not been by the office, I thought I would just mail you the Beneficiary Statement which Lincoln Financial sent me. As I told you by telephone, Lincoln Financial needs this statement along with some other documentation before they can send the October check from Shannon's annuity. They also assured me that they would not mail a check to your ex-husband, since they have received his renunciation. We have already obtained the other documentation the insurance company requested and will be mailing that back to the insurance company with this form. As you can see the Beneficiary Statement requires your signature as beneficiary, but the form does not have to be notarized.

Please return the original signed form to me in the enclosed envelope. Thank you.

Very truly yours,


Gary J. Mills

/gjm
enclosure



The Lincoln National Life Insurance Company
 PO Box 7809
 Fort Wayne IN 46801-7809
 Phone - 1-800-487-1485
 FAX- 260-455-4578

Overnight Address:
 Lincoln Financial Group
 Financial — IA (RPS)
 1300 S Clinton St
 Fort Wayne IN 46802

BENEFICIARY'S STATEMENT FOR DEATH BENEFIT FOR A SINGLE PREMIUM IMMEDIATE ANNUITY (SPIA) OR SUPPLEMENTARY CONTRACT

"Any person who knowingly, and with intent to defraud any insurance company or other person, files an Application for Insurance or Statement of Claim containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime."

Name of Deceased: SHANNON NICOLE LINCOLN	Policy Number(s): 4000073842
Last Residential Street Address: 7613 Coventry Forest Ct.,	
City, State, Zip Code: King, North Carolina 27021	
Social Security Number of Deceased: [REDACTED]	Date of Death: May 9, 2006
Beneficiary Information <i>Note: If minor, please include the Guardianship of Asset papers.</i>	
Beneficiary Name: (Print) Glenda Renee Lincoln	Date of Birth: July 5, 1963
Address: 7613 Coventry Forest Ct.	Social Security Number: [REDACTED]
City, State, Zip Code: King, North Carolina 27021	Daytime Telephone Number: (336) 985-0681
Relationship to Deceased: Mother	

Income Tax Withholding Notice — Completion required before any distribution is made from the policy. If no election is made, withholding will be applied based on the tax tables for a married individual claiming three exemptions.

The Federal tax law provides that any distribution from an annuity policy will be subject to Federal income tax withholding. There will be no withholding on the portion of distribution which represents the return of premium contributions (exception: tax-qualified plan). You may elect not to have tax withholding apply to your distribution by completing the section below.

You may change your election at any time by written request. Any change to your election will be effective no later than the next calendar quarter as long as your request is received 30 days before the next calendar quarter. You may change your election regarding tax withholding as often as you wish. Additional election forms may be obtained from your agent or the Company.

If you elect not to have withholding apply to your distribution, you may be responsible for payment of estimated tax. You may also incur penalties under the estimated tax rules if your withholding and estimated tax payments are not sufficient.

Under penalties of perjury, I certify that the Social Security Number furnished is correct and that I am not subject to backup withholding. Representation is made that no proceedings under the US Bankruptcy Act have been instituted by or against the undersigned.

Please check one:

- I elect to have no income tax withheld from any distribution made from the annuity.
- I elect to have _____ % withheld from any distribution made from the annuity.
- I elect to have \$ _____ withheld from any distribution made from the annuity.

Lost Policy Affidavit — If the policy is not attached, I hereby certify that said policy has been lost or destroyed and that it is not assigned, hypothecated or pledged in any way whatsoever.

Glenda Renee Lincoln
 Beneficiary's Signature

10-6-08
 Date

Lincoln Financial Group is the marketing name for Lincoln National Corporation and its affiliates. Certain affiliates act as the administrative agent for CIGNA Life Insurance Company and Connecticut General Life Insurance Company.



The Lincoln National Life Insurance Company
 PO Box 7809
 Fort Wayne IN 46801-7809
 Phone - 1-800-487-1485
 FAX- 260-455-4578

Overnight Address:
 Lincoln Financial Group
 Financial — IA (RPS)
 1300 S Clinton St
 Fort Wayne IN 46802

BENEFICIARY'S STATEMENT FOR DEATH BENEFIT FOR A SINGLE PREMIUM IMMEDIATE ANNUITY (SPIA) OR SUPPLEMENTARY CONTRACT

"Any person who knowingly, and with intent to defraud any insurance company or other person, files an Application for Insurance or Statement of Claim containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime."

Name of Deceased: SHANNON NICOLE LINCOLN	Policy Number(s): 4000073842
Last Residential Street Address: 7613 COVENTRY FOREST CT.	
City, State, Zip Code: KING, NC 27021	
Social Security Number of Deceased: [REDACTED]	Date of Death: MAY 9, 2006
Beneficiary Information <i>Note: If minor, please include the Guardianship of Asset papers.</i>	
Beneficiary Name: (Print) BRIANNA PAIGE LINCOLN	Date of Birth: JULY 10, 1990
Address: 7613 COVENTRY FOREST CT.	Social Security Number: .
City, State, Zip Code: KING, NC 27021	Daytime Telephone Number: (336) 985-0681
Relationship to Deceased: SISTER	

Income Tax Withholding Notice — Completion required before any distribution is made from the policy. If no election is made, withholding will be applied based on the tax tables for a married individual claiming three exemptions.

The Federal tax law provides that any distribution from an annuity policy will be subject to Federal income tax withholding. There will be no withholding on the portion of distribution which represents the return of premium contributions (exception: tax-qualified plan). You may elect not to have tax withholding apply to your distribution by completing the section below.

You may change your election at any time by written request. Any change to your election will be effective no later than the next calendar quarter as long as your request is received 30 days before the next calendar quarter. You may change your election regarding tax withholding as often as you wish. Additional election forms may be obtained from your agent or the Company.

If you elect not to have withholding apply to your distribution, you may be responsible for payment of estimated tax. You may also incur penalties under the estimated tax rules if your withholding and estimated tax payments are not sufficient.

Under penalties of perjury, I certify that the Social Security Number furnished is correct and that I am not subject to backup withholding. Representation is made that no proceedings under the US Bankruptcy Act have been instituted by or against the undersigned.

Please check one:

- I elect to have no income tax withheld from any distribution made from the annuity.
- I elect to have _____ % withheld from any distribution made from the annuity.
- I elect to have \$ _____ withheld from any distribution made from the annuity.

Lost Policy Affidavit — If the policy is not attached, I hereby certify that said policy has been lost or destroyed and that it is not assigned, hypothecated or pledged in any way whatsoever.

Beneficiary's Signature

Date

Lincoln Financial Group is the marketing name for Lincoln National Corporation and its affiliates. Certain affiliates act as the administrative agent for CIGNA Life Insurance Company and Connecticut General Life Insurance Company.

AN07051

*Memorial William Spruill
7613 Conventry, Forest G.
Lang, Fl. 32782*

1st CLASS

*United States District Court
Southern District of Florida
Office of the Clerk - Room 8N09
400 West
Miami, Florida 33128-1114*



7011 0110 0000 1842 6695

\$3.85⁰
US POSTA
FIRST-CLASS
071V00696486
27021
00008234

REC'D by _____ D.C.
APR 18 2011
LAWRENCE M. LASHMORE
U.S. DIST. C. CLERK
SOUTHERN DISTRICT OF FLORIDA

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 10-CV-81174-Cohn/Seltzer

HOUSEHOLD LIFE INSURANCE COMPANY,
a Michigan corporation,

Plaintiff,

v.

DANIEL LINCOLN; GLENDA LINCOLN; and
BRIENNA LINCOLN,

Individuals,

Defendants.

**PLAINTIFF HOUSEHOLD LIFE INSURANCE COMPANY'S MOTION
TO BE EXCUSED FROM ATTENDANCE AT MEDIATION**

Plaintiff HOUSEHOLD LIFE INSURANCE COMPANY ("HLIC"), hereby files this motion to be excused from attendance at the mediation of the interpleader action, as it is a non-essential party to settlement, and in support therefore states:

1. HLIC filed this interpleader action because it holds proceeds payable on a structured settlement agreement and annuity.
2. The payee of the annuity is now deceased and there is disagreement among the defendants as to how the proceeds should be disbursed.
3. Mediation has been unilaterally set by Defendant Daniel Lincoln for Wednesday, May 4, 2011, at 10:00 a.m., at the offices of Mr. Lincoln's counsel in Boca Raton, Florida (See D.E. 27).

CASE NO.: 10-CV-81174-Cohn/Seltzer

4. Any fees incurred by HLIC's counsel to attend the mediation will only serve to reduce the amount of funds available for the defendants at the conclusion of this matter.

5. As HLIC has no interest in the outcome of this matter, and will of course honor any settlement relating to the disposition of interpled funds, it requests that it be excused from attendance at the mediation of this matter.

WHEREFORE, HLIC respectfully requests that this Court issue an order excusing it from attendance at mediation.

Respectfully submitted,

Squire, Sanders & Dempsey (US) LLP
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401-6198
Telephone: +1.561.650.7200
Facsimile: +1.561.655.1509

By: s/ Traci H. Rollins

Traci H. Rollins, P.A.
Florida Bar No. 769071
TRollins@ssd.com
*Attorneys for Household Life
Insurance Company*

CASE NO.: 10-CV-81174-Cohn/Seltzer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 21, 2011, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Traci H. Rollins

SERVICE LIST

Attorneys for Defendant
Daniel Lincoln
Jeffrey M. Brown, Esq.
Lavalle, Brown & Ronan, P.A.
750 South Dixie Highway
Boca Raton, FL 33432
Telephone: 561-395-0000
Fax: 561-395-9093
Email: CMartin@lavallebrown.com
Via ECF

Glenda Lincoln
Brienna Lincoln
7613 Coventry Forest Court
King, NC 27021
Via U.S. Mail

WPB/576948.1

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 10-CV-81174-Cohn/Seltzer

HOUSEHOLD LIFE INSURANCE COMPANY,
a Michigan corporation,

Plaintiff,

v.

DANIEL LINCOLN; GLENDA LINCOLN; and
BRIENNA LINCOLN,

Individuals,

Defendants.

**ORDER GRANTING PLAINTIFF HOUSEHOLD LIFE INSURANCE COMPANY'S
MOTION TO BE EXCUSED FROM ATTENDANCE AT MEDIATION (D.E. #)**

THIS MATTER came before the Court upon the Motion of Plaintiff HOUSEHOLD LIFE INSURANCE COMPANY ("HLIC") to be Excused From Attendance at Mediation. The Court has considered the matters raised and is otherwise fully advised. After due consideration, it is

ORDERED AND ADJUDGED that

1. Plaintiff's Motion is GRANTED.

DONE AND ORDERED in Chambers at Fort Lauderdale, Florida this ____ day of April, 2011.

The Honorable James I. Cohn
United States District Court Judge

CASE NO.: 10-CV-81174-Cohn/Seltzer

Copies furnished to:

Traci H. Rollins, Esq.
Squire, Sanders & Dempsey (US) LLP
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401
Attorneys for Plaintiff
Email: Traci.Rollins@ssd.com
Via ECF

Jeffrey M. Brown, Esq.
Lavalle, Brown & Ronan, P.A.
750 South Dixie Highway
Boca Raton, FL 33432
Attorneys for Defendant Daniel Lincoln
Email: CMartin@lavallebrown.com
Via ECF

Glenda Lincoln
Brienna Lincoln
7613 Coventry Forest Court
King, NC 27021
Via U.S. Mail

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-81174-CIV-COHN/SELTZER

HOUSEHOLD LIFE INSURANCE COMPANY,
a Michigan corporation,

Plaintiff,

v.

DANIEL LINCOLN; GLENDA LINCOLN; and
BRIANNA LINCOLN,

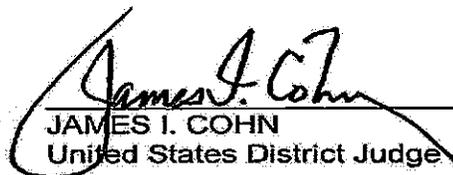
Defendants.

**ORDER DENYING DEFENDANT GLENDA LINCOLN'S REQUEST
TO ATTEND MEDIATION BY PHONE**

THIS CAUSE is before the Court upon Glenda Lincoln's Letter written on April 11, 2011 [DE 31] ("Letter"). According to the Letter, it appears that Ms. Lincoln is unclear whether she must attend mediation in person or whether she may attend by phone. The Letter does not provide any reason that Ms. Lincoln cannot attend the mediation in person other than the fact that she lives in North Carolina. Therefore, as Ms. Lincoln has not shown good cause as to why she cannot attend mediation in person, it is hereby

ORDERED AND ADJUDGED that to the extent Ms. Lincoln requests to attend mediation by phone, the request is **DENIED** at this time. Ms. Lincoln must appear at the May 4, 2011 mediation in person.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, on this 22nd day of April, 2011.


JAMES I. COHN
United States District Judge

Copies provided to:
Counsel of record via CM/ECF
Pro se parties via regular mail

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-81174-CIV-COHN/SELTZER

HOUSEHOLD LIFE INSURANCE COMPANY,
a Michigan corporation,

Plaintiff,

v.

DANIEL LINCOLN; GLENDA LINCOLN; and
BRIANNA LINCOLN,

Defendants.

**ORDER GRANTING PLAINTIFF HOUSEHOLD LIFE INSURANCE COMPANY'S
MOTION TO BE EXCUSED FROM ATTENDANCE AT MEDIATION**

THIS CAUSE is before the Court upon Plaintiff Household Life Insurance Company's Motion to be Excused from Attendance at Mediation [DE 32] ("Motion"). The Court has considered the Motion and the record in this case, and is otherwise advised in the premises.

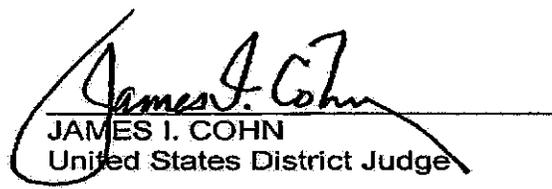
Plaintiff holds proceeds payable on a structured settlement agreement and annuity. Plaintiff filed this interpleader action to settle Defendants' disagreement as to how those proceeds should be disbursed. In the instant Motion, Plaintiff states that because it "has no interest in the outcome of this matter, and will of course honor any settlement relating to the disposition of interpled funds, it requests that it be excused from attendance at the mediation of this matter." DE 32 ¶ 5. It is hereby

ORDERED AND ADJUDGED that Plaintiff Household Life Insurance Company's Motion to be Excused from Attendance at Mediation [DE 32] is **GRANTED**. Plaintiff is

hereby **EXCUSED** from mediation in this case.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County,

Florida, on this 22nd day of April, 2011.



JAMES I. COHN
United States District Judge

Copies provided to:
Counsel of record via CM/ECF
Pro se parties via regular mail