

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Protective Life Insurance Company v. Kim Eugene Brain and Julie
Lynn Brain

Protective Life · No. 1:25-CV-03075-JAG · Decided January 21, 2026

SUMMARY

The United States District Court for the Eastern District of Washington granted Protective Life Insurance Company's motion for default judgment against Julie Lynn Brain in an interpleader action involving a \$200,000 life-insurance death benefit. The court held that Brain forfeited any rights and claims to the benefit, directed Protective Life to deposit the proceeds into the court registry, discharged Protective Life from liability, and dismissed the case with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	James A. Goeke
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	January 21, 2026
DOCKET	1:25-CV-03075-JAG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Protective Life Insurance Company moved for default judgment, interpleader, discharge, and dismissal after the clerk entered default against Julie Lynn Brain, who had been personally served but failed to appear or answer.
STANDARD OF REVIEW	The court applied the seven-factor Eitel test governing whether to enter default judgment.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not stated in the opinion.

TOPICS

- default judgment
- interpleader
- insurance
- civil procedure
- remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether default judgment should be entered against Julie Lynn Brain under the Eitel factors.
2. Whether Julie Lynn Brain forfeited all rights and claims to the certificate's death benefit by failing to appear.
3. Whether Protective Life should be permitted to deposit the death benefit into the court registry and be discharged from liability arising from the certificate and benefit.

HOLDINGS

1. Default judgment was warranted because all but the fourth Eitel factor favored judgment, and the substantial amount at stake did not outweigh the other factors.
2. Julie Lynn Brain forfeited any and all rights and claims to the certificate's death benefit.
3. Protective Life was directed to deposit the \$200,000 death benefit into the court registry, discharged from liability arising from the certificate and death benefit, and the case was dismissed with prejudice.

KEY QUOTATIONS

“Although “default judgments are ordinarily disfavored,” where a Defendant has not appeared, a court may grant default judgment.” (at 1)

“Consequently, Protective shall deposit the Certificate’s \$200,000.00 death benefit into the Court’s Registry.” (at 2)

“Protective Life is discharged of liability arising from the Certificate and/or Certificate’s death benefit.” (at 2)

FACTUAL BACKGROUND

Protective Life sought resolution of competing claims to a life-insurance certificate's \$200,000 death benefit. Julie Lynn Brain, who had been personally served and had demonstrated the ability to initiate a separate lawsuit, did not appear or file an answer in this action. The principal legal dispute concerned whether her alleged community-property contribution to her deceased former husband's life insurance should affect the beneficiary designation.

PROCEDURAL HISTORY

Protective Life commenced an interpleader action concerning a life-insurance death benefit. After Julie Lynn Brain failed to appear, the clerk entered an order of default, and Protective moved for default judgment. The court granted default judgment against Julie Brain, directed deposit of the \$200,000 death benefit into the court registry, discharged Protective from liability, and dismissed the case with prejudice.

DISPOSITION

dismissed

CASES CITED

- Eitel v. McCool, 782 F.2d 1470, 1471-72 (9th Cir. 1986)
- Brain v. Brain, No. 1:25-CV-03119-JAG
- Brain v. Brain, No. 1:25-CV-03075-JAG

OPINION

1 FILED IN THE 2 U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON 3 Jan
21, 2026 4 SEAN F. MCAVOY, CLERK UNITED STATES DISTRICT COURT 5 EASTERN
DISTRICT OF WASHINGTON 6 7 PROTECTIVE LIFE INSURANCE No. 1:25-CV-03075-JAG
8 COMPANY, 9 Plaintiff, ORDER GRANTING DEFAULT 10 JUDGMENT AS TO JULIE
LYNN 11 v. BRAIN 12 KIM EUGENE BRAIN and JULIE MOTION GRANTED 13 LYNN
BRAIN, (ECF No. 13) 14 Defendants.

15 16 Pending before the Court is Plaintiff's Motion for Default Judgment, 17 18 Interpleader,
Discharge, and Dismissal. ECF No. 13. Following entry of the 19 Clerk's Order of Default, ECF
No. 11, Plaintiff seeks default judgment against 20 Julie Lynn Brain due to her failure to appear in
the case. Fed. R. Civ. P. 55 21 authorizes entry of default judgment by the clerk where a defendant
fails to appear 22 and plaintiff's claim is for a sum certain, but when, as in this case, Plaintiff seeks
23 nonmonetary relief, the Plaintiff must apply to the court for a default judgment.

24 Fed. R. Civ. P. 55. Although "default judgments are ordinarily disfavored," where 25 a
Defendant has not appeared, a court may grant default judgment. Eitel v. 26 McCool, 782 F.2d
1470, 1472 (9th Cir. 1986). 27 28 The following factors guide the Court's analysis of whether to
grant default 1 2 judgment: 3 (1) the possibility of prejudice to the plaintiff, (2) the merits of
plaintiff's substantive claim, (3) the sufficiency of the complaint, (4) the 4 sum of money at stake
in the action; (5) the possibility of a dispute 5 concerning material facts; (6) whether the default
was due to excusable neglect, and (7) the strong policy underlying the Federal Rules of Civil 6
Procedure favoring decisions on the merits.

7 Eitel v. McCool, 782 F.2d 1470, 1471-72 (9th Cir. 1986). 8 Defendant Julie Brain has not
appeared or filed an Answer, despite 9 demonstrating the wherewithal to file her own lawsuit. See
Brain v. Brain, 1:25- 10 CV-03119-JAG. Plaintiff's failure to respond to the suit makes it difficult
for the 11 Court to assess her position, but upon review of the Eitel factors and the case, the 12
Court finds that all factors except the fourth factor weigh in favor of granting 13 default judgment.

First, without default Plaintiff will have no remedy, thus the 14 possibility of prejudice is great.
Considering the second, third and fifth factors 15 together, the Complaint appears to state a clear
claim and facts supporting that 16 claim. Based on the Court's review of the Complaint, the

substantive claims have 17 18 merit, the Complaint is sufficient, and the material facts appear to be largely 19 undisputed.

The primary point of contention appears to be whether Plaintiff should 20 have considered Defendant Julie Brain's contribution via community property to 21 the decedent's (Defendant's former husband) life insurance when determining the 22 beneficiary rather than honoring the designated beneficiary. This is primarily a 23 legal determination, not an issue of contested material fact.

As for the sixth factor, 24 the Court has no indication that the default was due to excusable neglect. The 25 Answer was due July 2, 2025. Despite initiating her own lawsuit, Julie Brain never 26 appeared or filed anything addressing the instant lawsuit despite having been 27 personally served. Lastly, turning to the fourth factor, although the sum of money 28 1 || at stake is substantial, the amount does not countervail the factors weighing in favor of default judgment.

Therefore, although strong policy favors resolution on 3|| the merits, the Eite/ factors weigh in favor of granting default. 4 Julie Lynn Brain filed an Interpleader Action against Kim E. Brain, co-5|| Defendant in Brain v. Brain, 1:25-CV-3119-JAG.

The Court will dismiss that case 6|| with prejudice under separate order. 7 Accordingly, IT IS ORDERED: 8 1. Plaintiff's Motion for Default Judgment as to Julie Brain, ECF?|| No. 13, is GRANTED. 10 2. The Court finds that Defendant Julie Brain has forfeited any and all rights and claims to the Certificate's death benefit. Consequently, Protective shall deposit the Certificate's \$200,000.00 death benefit into the Court's Registry.

I3 3. Protective Life is discharged of liability arising from the Certificate and/or Certificate's death benefit. Further suit on the policy/certificate and benefit addressed in Brain v. Brain, 1:25-CV-03075-JAG will not be entertained.: 4. This case is DISMISSED WITH PREJUDICE. 13 IT IS SO ORDERED. 19 The District Court Executive is directed to file this Order, provide copies to 0 counsel, enter a judgment in favor of Plaintiff and CLOSE this file.

21 DATED January 21, 2026. 23 JAMES A. GOEKE 24 a UNITED STATES MAGISTRATE JUDGE 25 26 27 28