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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Helen Dineyazhe and
9 Derrick Dineyazhe, Individually
and as Next Friends of Dominic
10 Dineyazhe, A Minor;

) No. CV-06-0690-PCT-SMM

) **ORDER**

11 Plaintiffs,

12 v.

13 The United States of America,

14 Defendant.

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This matter having come before the Court upon the filing of the parties' Joint Motion to
16 Approve Settlement (Doc. 49), in which the parties seek court approval of the proposed
17 settlement to compromise the claims of minor Dominic Dineyazhe, and the Court having
18 reviewed the motion and proposed settlement, and being fully advised,

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FINDS that the Motion is well taken and that the settlement provisions outlined therein
20 are fair, just, and in the best interest of the minor Plaintiff. Accordingly,

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IT IS HEREBY ORDERED as follows:

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1. The Joint Motion to Approve Settlement (Doc. 49) is **GRANTED**.

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2. The settlement amounts and terms for Plaintiff Dominic Dineyazhe are hereby
24 approved including but not limited to the \$100,000 reversionary trust, the purchase of the
25 annuity at a cost of \$75,000, \$10,000 in cash jointly for Dominic and his parents, \$4,667.11 for
26 unpaid medical bills, \$13,665.89 for litigation costs and expenses, and attorneys fees at the
27 statutory maximum of 25% in FTCA cases, \$61,667, for a total settlement cost of \$265,000.

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3. Upon payment of the settlement amounts, the parties shall file a stipulated dismissal with prejudice, each side to bear its own costs and fees.

DATED this 10th day of September, 2008.



Stephen M. McNamee
United States District Judge