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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

C.A.M., a minor, by and through
his Guardian ad Litem, JACOB C. MILLS,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendants.

CASE NO. CV F09-0900 LJO JLT

**ORDER ON MINOR’S COMPROMISE
APPROVAL**
(Docs. 35, 37.)

_____ /
Jacob C. Mills, father and guardian ad litem of minor plaintiff C.A.M. (“CAM”), seeks this Court’s approval of a \$710,000 settlement with defendant United States of America (“Government”) and a \$410,000 disbursement from the settlement to fund an annuity for CAM no later than April 27, 2011. The Government agrees to pay \$710,000 but is unable to commit to a \$410,000 payment from the Department of Treasury’s Judgment Fund prior to April 27, 2011. Due to unknown future market rates, \$410,000 paid after April 27, 2011 may be insufficient to fund an annuity with payments proposed by CAM’s counsel. As such, this Court concludes that there is no consummated settlement agreement, especially given the absence of a written settlement agreement signed by the parties. This Court is unable to take further action on the minor’s compromise until the parties reach a full agreement on a definite settlement amount. This Court ORDERS the parties, no later than February 11, 2011, to file a joint report on the status of settlement and in particular agreement on a definite settlement amount.

IT IS SO ORDERED.

Dated: February 8, 2011

/s/ Lawrence J. O'Neill

UNITED STATES DISTRICT JUDGE

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