

1
2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE EASTERN DISTRICT OF CALIFORNIA
5

6 CALEB A. MILLS, a minor, by and through his
7 *Guardian ad Litem*, JACOB C. MILLS,

8 Plaintiff,

9 v.

10 THE UNITED STATES OF AMERICA,

11 Defendant.
12

CASE NO. 1:09-cv-00900-LJO-DLB

ORDER ON MINOR'S COMPROMISE

13
14 Jacob C. Mills, father and guardian ad litem of minor plaintiff C.A.M. ("C.A.M."), seeks this
15 Court's approval of a \$710,000 settlement with defendant United States of America ("Government"). At
16 the request of C.A.M.'s counsel, this Court considered the minor's compromise on an expedited basis and
17 without a hearing in that C.A.M.'s counsel indicated that expedited approval would assist to fund structured
18 payments for C.A.M. This Court has reviewed the record and determines that the settlement serves
19 C.A.M.'s best interests.

20 On the basis of good cause, this Court:

21 1. APPROVES the final compromise of C.A.M.'s claims with the payment of \$710,000 at
22 present value by the Government in exchange for dismissal of claims against the Government with
23 prejudice;

24 2. ORDERS the Government to use its best efforts to make payment from the Judgment Fund
25 of the Department of Treasury as soon as practical with submission of the parties' written settlement
26 agreement and other necessary documents and information;

27 3. ORDERS that \$410,000 of the settlement be used to purchase an annuity for C.A.M. in
28 accordance with federal regulations and the parties' written settlement agreement;

1 4. ORDERS C.A.M.'s counsel to pay Medi-Cal \$95,000 of the remaining \$300,000 of the
2 settlement to reimburse Medi-Cal for its agreed reduced lien;

3 5. PERMITS C.A.M.'s counsel to reimburse itself \$53,366.49 costs and to pay itself
4 \$151,633.51 fees from the remaining \$300,000 of the settlement; and

5 6. REITERATES its January 21, 2011 order to require the parties, no later than April 21, 2011,
6 to file appropriate papers to dismiss or conclude this action in its entirety, or to show good cause why the
7 action has not been dismissed.

8 IT IS SO ORDERED.

9 **Dated: February 11, 2011**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28