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

5 C.A.M., a minor, by and through his Guardian ad )  
Litem, JACOB C. MILLS, ) CASE NO. 1:09-CV-00900-LJO-JLT  
6 )  
7 Plaintiff, ) **MODIFIED ORDER ON MINOR'S**  
8 v. ) **COMPROMISE**  
9 THE UNITED STATES OF AMERICA; )  
10 Defendants. )  
11 )

12 Jacob C. Mills, father and guardian ad litem of minor plaintiff C.A.M. ("C.A.M."), seeks this  
13 Court's approval of a \$710,000.00 settlement with defendant United States of America ("Government").  
14 At the request of C.A.M.'s counsel, this Court considered the minor's compromise on an expedited basis  
15 and without a hearing in that C.A.M.'s counsel indicated that expedited approval would assist to fund  
16 structured payments for C.A.M. This Court has reviewed the record and determines that the settlement  
17 serves C.A.M.'s best interests.

18 On the basis of good cause, this Court:

- 19 1. APPROVES the final compromise of C.A.M.'s claims with the payment of \$710,000.00 at  
20 present value by the Government in exchange for dismissal of claims against the Government with  
21 prejudice;
- 22 2. ORDERS the Government to use its best efforts to make payment from the Judgment Fund  
23 of the Department of Treasury as soon as practical with submission of the parties' written settlement  
24 agreement and other necessary documents and information;
- 25 3. ORDERS AND MODIFIES that \$410,000.00 of the settlement be used to purchase an  
26 annuity for C.A.M. in accordance with federal regulations and the parties' written settlement agreement,  
27 as interest rates have declined since the passage of the original anticipated purchase date of April 27, 2011  
28 the annuity payments to be made to C.A.M. are to be modified from that payment schedule set forth in

1 paragraph 10 of the Motion for Order Authorizing Compromise of Minor's Claim and For Attorney's  
2 Fees and Costs. The payment schedule from Allstate to C.A.M. is to be as follows:

3	Eighteenth Birthday:	March 24, 2024	\$40,000.00
4	Nineteenth Birthday:	March 24, 2025	\$40,000.00
5	Twentieth Birthday:	March 24, 2026	\$40,000.00
6	Twenty-first Birthday:	March 24, 2027	\$40,000.00
7	Twenty-second Birthday	March 24, 2028	\$40,000.00
8	Twenty-fifth Birthday	March 24, 2031	\$200,000.00
9	Thirtieth Birthday	March 24, 2036	\$225,000.00
10	Fortieth Birthday	March 24, 202041	\$520,034.49

11 **Total Guaranteed Payout: \$1,145,034.49**

12 4. ORDERS C.A.M.'s counsel to pay Medi-Cal \$95,000.00 of the remaining \$300,000.00  
13 of the settlement to reimburse Medi-Cal for its agreed reduced lien;

14 5. PERMITS C.A.M.'s counsel to reimburse itself \$53,366.49 costs and to pay itself  
15 \$151,633.51 fees from the remaining \$300,000.00 of the settlement; and

16 6. MODIFIES its January 21, 2011 order to require the parties, no later than June 21,  
17 2011, to file appropriate papers to dismiss or conclude this action in its entirety, or to show good cause  
18 why the action has not been dismissed.

19 The Court recognized the need to accept verbal representations from Plaintiff's counsel  
20 concerning the ever-changing rates of return, and in an attempt to maximize the ultimate pay-outs  
21 on the minor's compromise, the Court approved this amended order in the expedited fashion  
22 described above.

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IT IS SO ORDERED.

Dated: June 8, 2011

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