UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

| S.V., a minor, by and through her Guardian ad Litem, CLAUDIA VALENCIA, |) Case No.: 1:17-cv-780- LJO JLT |
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| Plaintiff, |) ORDER DENYING REQUEST TO WITHDRAW FUNDS |
| v. | |
| DELANO UNION ELEMENTARY SCHOOL DISTRICT, et al., |) (ECF No. 69) |
| | |
| Defendants. | |

Before the Court for decision is the request by Claudia Valencia, *guardian ad litem* for her daughter S.V., to withdraw \$4,000.00 from the blocked account set up in S.V.'s name as part of the settlement of this action. ECF No. 69. In May 2019, S.V., through her guardian, entered into a settlement agreement to resolve this matter in its entirety. ECF No. 62. Pursuant to the settlement, Defendants agreed to pay \$45,000.00. ECF No. 64-1, Ex. 1. After attorney's fees and costs were awarded to Plaintiff's counsel, \$25,713.53 of the total settlement fund was placed in a blocked account for S.V., designated to remain there until she obtains the age of 18. ECF No. 64-3. In petitioning for approval of the settlement, Claudia Valencia acknowledged on June 14, 2019, that "these funds may not be withdrawn before S.V. reaches the age of majority, 18 years old." ECF No. 64-2. The present request for withdrawal, filed September 3, 2019, indicates that S.V.'s family has "personal matters" and that S.V. "needs money for her education, and essential necessities," but does not provide any other details apart from indicating that Claudia Valencia's "husband's salary is not enough to support our family at this time." ECF No. 69. Nothing in the request or S.V.'s own attached letter indicates a

| 1 | change in circumstance since the settlement was signed and approved or a particularized, urgent need. | | |
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| 2 | Therefore, t | he request is DENIED WITHOUTH | OUT PREJUDICE. |
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| 4 | IT IS SO O | RDERED. | |
| 5 | Dated: | September 18, 2019 | /s/ Lawrence J. O'Neill |
| 6 | | | UNITED STATES CHIEF DISTRICT JUDGE |
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