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8	UNITED STATES DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA
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11	S.V., a minor, by and through her Guardian ad ) Case No.: 1:17-cv-780- LJO JLT Litem, CLAUDIA VALENCIA, )
12	Plaintiff,
13	v. ) RECONSIDERATION OF REQUEST TO ) WITHDRAW FUNDS
14 15	DELANO UNION ELEMENTARY SCHOOL ) DISTRICT, et al., (ECF No. 69)
16	) Defendants)
17	Before the Court for decision is the renewed request by Claudia Valencia, guardian ad litem for
18	her daughter S.V., to withdraw \$4,000.00 from the blocked account set up in S.V.'s name as part of the
19	settlement of this action. ECF No. 71. In May 2019, S.V., through her guardian, entered into a
20	settlement agreement to resolve this matter in its entirety. ECF No. 62. Pursuant to the settlement,
21	Defendants agreed to pay \$45,000.00. ECF No. 64-1, Ex. 1. After attorney's fees and costs were
22	awarded to Plaintiff's counsel, \$25,713.53 of the total settlement fund was placed in a blocked account
23 24	for S.V., designated to remain there until she obtains the age of 18. ECF No. 64-3. In petitioning for
24	approval of the settlement, Claudia Valencia acknowledged on June 14, 2019, that "these funds may
26	not be withdrawn before S.V. reaches the age of majority, 18 years old." ECF No. 64-2.
20	On September 3, 2019, Claudia Valencia filed a request to withdraw funds indicating that S.V.'s
28	family has "personal matters" and that S.V. "needs money for her education, and essential necessities,"
-0	but did not provide any other details apart from indicating that Claudia Valencia's "husband's salary is

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not enough to support our family at this time." ECF No. 69. The Court denied that request without prejudice. ECF No. 70. 

On September 26, 2019, Claudia Valencia filed a revised request, again seeking to withdraw \$4,000.00 from the blocked account. ECF No. 71. This time, Claudia Valencia indicates that: (1) she has a medical condition that prevents her from working; and (2) her husband was injured at work and had to be off work for an unspecified period of time beginning in September of this year; and (3) it was unclear at the time of her request whether her husband would receive workman's compensation benefits. Id. Claudia Valencia indicates that if her husband is unable to work and/or does not receive workman's compensation benefits, they would be struggling to pay their upcoming expenses. Id.

The Court finds the assertions of financial difficulty in the present request to be credible and is sympathetic to the family's situation. However, the minor's funds cannot be used to support the family. To find otherwise would be to disregard the very reason why the funds were placed in a blocked account in the first place. Accordingly, the request is again DENIED.

IT IS SO ORDERED.

Dated: **October 9, 2019** 

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