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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MEGAN MCKEON; LAILA NEAL, a
minor by and through her guardian ad
litem, TINA NEAL; and TINA NEAL,

Plaintiffs,

v.

GATEWAY ICE CENTER; and DOES 1
through 50, inclusive,

Defendants.

No. 1:18-cv-00358-DAD-BAM

ORDER APPOINTING GUARDIAN AD
LITEM

(Doc. No. 6)

On March 14, 2018, plaintiff Tina Neal filed a petition to be appointed guardian ad litem for plaintiff Laila Neal for purposes of this action. (Doc. No. 6.)

“District courts have a special duty, derived from Federal Rule of Civil Procedure 17(c), to safeguard the interests of litigants who are minors.” *Robidoux v. Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011). Rule 17 provides that “[t]he court must appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action.” Fed. R. Civ. P. 17(c)(2). Local Rule 202(a) of this court further states, in pertinent part:

Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor . . . the attorney representing the minor or incompetent person shall present . . . a

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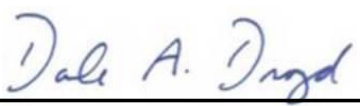
motion for the appointment of a guardian *ad litem* by the Court, or . . . a showing satisfactory to the Court that no such appointment is necessary to ensure adequate representation of the minor or incompetent person. *See* Fed. R. Civ. P. 17(c).

The decision to appoint a guardian ad litem “must normally be left to the sound discretion of the trial court.” *United States v. 30.64 Acres of Land*, 795 F.2d 796, 804 (9th Cir. 1986).

Tina Neal petitions the court to appoint her as guardian ad litem to her child, plaintiff Laila Neal, a ten-year-old minor suffering from cerebral palsy. Petitioner states that she is the mother to plaintiff Laila Neal, and that she is competent and responsible to represent and protect the interests of plaintiff Laila Neal. Finding good cause, the court grants the petition (Doc. No. 6) and appoints Tina Neal guardian ad litem of Laila Neal, a minor and plaintiff in this action.

IT IS SO ORDERED.

Dated: March 15, 2018



UNITED STATES DISTRICT JUDGE