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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARIE-PIERRE POTTIER, et al.,)	Case No.: 1:21-cv-01138-AWI-BAM
)	
Plaintiffs,)	ORDER GRANTING APPLICATION FOR
)	APPOINTMENT OF MARIE-PIERRE
v.)	POTTIER AS GUARDIAN AD LITEM FOR
)	ELODIE POTTIER
UNITED STATES OF AMERICA,)	
)	
Defendant.)	(Doc. No. 3)
)	
)	
)	

On July 28, 2021, Plaintiff Marie-Pierre Pottier, through counsel, submitted an application for a court order appointing Marie-Pierre Pottier as guardian ad litem for minor Plaintiff Elodie Pottier. (Doc. No. 3.)

“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:

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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 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 L.R. 202(a). 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).

By the application and supporting declarations, Plaintiffs seek to have the court appoint Plaintiff Marie-Pierre Pottier as the guardian ad litem for minor plaintiff Elodie Pottier. Ms. Pottier is the mother of Elodie Pottier. She alleges she is competent and willing to act as a guardian for the purpose of this action. (Doc. No. 3 at 2.)

Finding good cause, IT IS HEREBY ORDERED that Plaintiff Marie-Pierre Pottier is appointed as guardian ad litem for minor Plaintiff Elodie Pottier in this action.

IT IS SO ORDERED.

Dated: January 7, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE