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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EARNEST CASSELL WOODS, II,
Plaintiff,
v.
TOM L. CAREY, et al.,
Defendants.

No. 2:04-cv-1225 MCE AC P

ORDER

On August 20, 2015, a settlement conference was held in this case and an agreement was reached. ECF No. 352. Under the settlement agreement, the settlement proceeds are to be paid to plaintiff's mother, Mildred McKinney. ECF No. 370. Plaintiff appealed the order enforcing the settlement agreement, and the funds were deposited with the Clerk of the Court pending the resolution of any appeal. ECF No. 387 at 2. The Ninth Circuit has now affirmed the judgment (ECF No. 394) and the mandate has been entered (ECF No. 395).

Since plaintiff has verified Ms. McKinney's address (ECF No. 389), payment of the settlement proceeds can go forward. However, because the funds have accrued interest, before the interest can be paid Ms. McKinney must complete and return a Form W-9. If Ms. McKinney does not complete and return the form within the time provided, the settlement funds will be paid out to her without any accrued interest.

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Accordingly, IT IS HEREBY ORDERED that:

1. Within thirty days of the service of this order, Ms. McKinney must return a completed Form W-9. Failure to return the form will result in the settlement proceeds being paid without any accrued interest.
2. The completed form should be returned to The Chambers of Magistrate Judge Allison Claire, 501 I St., Room 4-200, Sacramento, CA 95814.
3. The Clerk of the Court is directed to send Ms. McKinney a Form W-9 to complete and return to this court.

DATED: December 6, 2018



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE