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

14 THE ESTATE OF ANTON BARRETT, by
15 and through its representatives ANTON
16 FRANK BARRETT, PASHANEY
17 BARRETT and A.P.B., by and through his
18 guardian ad litem TASHA PERRY;
19 ANTON FRANK BARRETT,
20 individually; PASHANEY BARRETT,
21 individually and A.P.B, a minor, by and
22 through his guardian ad litem TASHA
23 PERRY,

24 Plaintiffs,

25 v.

26 CITY OF VALLEJO, a municipal
27 corporation; SEAN KENNEY; WAYLON
28 BOYCE; MARK THOMPSON; and DOES
1-50, inclusive; individually and in their
official capacity as Police Officers for the
CITY OF VALLEJO

Defendants.

CASE NO.: 2:13-CV-00846-JAM-CKD

**ORDER APPOINTING TASHA PERRY
AS A.P.B.'S GUARDIAN AD LITEM
AND APPROVING MINOR'S
COMPROMISE**

Magistrate Judge Kendall J. Newman

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1 **ORDER**

2 Presently pending before the court is the petition of TASHA PERRY
3 ("Petitioner") for appointment as Guardian Ad Litem and for the approval of
4 the proposed compromise of minor ANTON PAT BARRETT's ("Minor")
5 claims against defendants CITY OF VALLEJO, et al (hereinafter collectively
6 referred to as "Payor"). (ECF No. 62.) After carefully reviewing the petition,
7 the court finds it appropriate to appoint Petitioner as the Minor's Guardian Ad
8 Litem, and also finds that it is in the best interests of the Minor that such
9 claims be compromised and settled for the amount stated in the petition and
10 that the proceeds of such settlement be paid, distributed, and deposited in the
11 manner hereinafter specifically provided.¹

12 **IT IS THEREFORE ORDERED:**

13 A. That TASHA PERRY is hereby appointed Guardian Ad Litem to
14 prosecute and compromise the claims of Minor Anton Pat Barrett in this
action.

15 B. That such compromise be and is hereby approved and that upon
16 payment of the sum of \$210,000.00 (Two Hundred and Ten Thousand
17 Dollars and Zero Cents), being the total amount of the settlement sum
18 herein approved, Payor shall be fully and forever released and
discharged of and from all claims, charges, and demands of Minor and
his guardian ad litem, Petitioner, arising from the incident mentioned in
said petition.

19 C. That Payor shall issue a check in the total amount of \$94,500.00
20 (Ninety Four Thousand and Five Hundred Dollars and Zero Cents), made
21 payable to "Tasha Perry, Individually, and as the Guardian Ad Litem for
Anton Pat Barrett, a minor, and Their Attorney of Record, John L.
Burriss."

22 D. Upon receipt of the settlement check referred to above, the Law
23 Offices of John L. Burriss shall disburse the settlement proceeds as

24 ¹ The court finds the unopposed petition derivative of the parties' settlement
25 to be suitable for resolution without oral argument pursuant to Local Rule
26 230(g). As such, the motion to shorten time to hear the petition (ECF No. 63)
is denied as moot.

1 follows, and the Court hereby approves the Petition to Compromise
2 Minor A.P.B's claims, as follows:

3 1. Payment of Fees and Expenses on Behalf of Minor, Anton Pat Barrett

4 a. Attorney's fees payable to the Law Offices of John L. Burris:

5 \$31,468.50.

6 b. Reimbursement of Litigation Costs payable to Law Offices

7 of John L. Burris: \$ 4,875.65

8
9 c. Grand total of allowances for fees/expenses: \$ 36,344.15


10
11 2. Balance

12 The remaining balance of \$ 58,155.85 shall be placed in an interest-bearing
13 blocked trust account at an FDIC insured banking institution for the benefit of
14 Minor Plaintiff Anton Pat Barrett. Upon funding, \$2,500.00 shall be
15 immediately disbursed to Tasha Perry for the benefit of Anton Pat Barrett, with
16 the remainder payable to Minor Plaintiff Anton Pat Barrett on his 18th birthday.

17
18 This order resolves ECF Nos. 62 and 63.

19
20 IT IS SO ORDERED.

21 Dated: July 20, 2015

22
23 
24 _____
25 KENDALL J. NEWMAN
26 UNITED STATES MAGISTRATE JUDGE
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