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 12 and G.I.

13 UNITED STATES DISTRICT COURT
 14 EASTERN DISTRICT OF CALIFORNIA

15 JENNIFER HUGUNIN, PATRICK HUGUNIN,
 D.H., a minor by and through his guardian ad
 16 litem JENNIFER HUGUNIN; KEITH
 CALDWELL, NICOLE HILL, X.C., a minor by
 17 and through his guardian ad litem KEITH
 CALDWELL, TRISHIA PITTS, CARL PITTS,
 18 N.P., a minor by and through his guardian ad
 litem TRISHIA PITTS, TODD VROOMAN,
 19 LAURA VROOMAN, S.V., a minor by and
 through his guardian ad litem TODD
 20 VROOMAN, RICHARD ROGERS, TERRILL
 21 ROGERS, P.R., a minor by and through his
 guardian ad litem RICHARD ROGERS,
 22 MICHELLE MANCOUR and G.I., a minor by
 and through his guardian ad litem MICHELLE
 23 MANCOUR,

Case No: 2:15-cv-00939-MCE-DAD

**ORDER GRANTING PLAINTIFFS’
 MOTION TO APPOINT TODD
 VROOMAN AS GUARDIAN AD
 LITEM OF PLAINTIFF S.V.**

24 Plaintiffs,

v.

25 ROCKLIN UNIFIED SCHOOL DISTRICT,
 SHERRY MCDANIEL, CHARLES
 26 THIBIDEAU, BETTY JO WESSINGER,
 JANNA CAMBRA, KEVIN BROWN, ROGER
 27 STOCK, DR. TODD CUTLER, and DOES 1-30,
 Defendants.

1 obligation to assist the court in achieving a just and speedy determination of the action,’ a court has
2 a right to select a guardian ad litem who is not a parent if that guardian would best protect the
3 child’s interests.” *Williams v. Super. Ct.*, 147 Cal.App.3d 36, 49 (2007) (quoting *M.S. v. Wermers*,
4 557 F.2d 170, 175 (8th Cir. 1977).

5 A parent may serve as a minor plaintiff’s guardian ad litem provided that the parent does
6 not have interests adverse to those of the child, and “[g]enerally, when a minor is represented by a
7 parent who is a party to the lawsuit and who has the same interests as the child there is no inherent
8 conflict of interest.” *Burke v. Smith*, 252 F.3d 1260, 1264 (11th Cir. 2001); *see also Gonzales v.*
9 *Reno*, 86 F.Supp.2d 1167, 1185 (S.D. Fla. 2000), *aff’d* 212 F.3d 1338 (11th Cir. 2000) (“[W]hen a
10 parent brings an action on behalf of a child, and it is evident that the interests of each are the same,
11 no need exists for someone other than the parent to represent the child’s interests under Rule
12 17(c).”)

13 14 ANALYSIS

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16 According to the Declaration of Todd Vrooman filed in support of Plaintiffs’ Motion, S.V.
17 is a minor and is currently eleven years of age. Because S.V. is under the age of eighteen, he is a
18 minor under California law. Cal. Fam. Code § 6502. As a minor, his ability to bring suit is
19 contingent upon appointment by the court of a guardian ad litem. Todd Vrooman is S.V.’s father
20 and is also a Plaintiff in this action. Mr. Vrooman may serve as S.V.’s guardian ad litem provided
21 that he does not have any interests that are adverse to S.V.

22 Upon review of the Complaint, the Notice of Motion and Motion to Appoint Todd
23 Vrooman as Guardian ad Litem of Plaintiff S.V. and the declaration of Todd Vrooman submitted in
24 support thereof, the Court finds that Plaintiff Todd Vrooman has no interests adverse to the
25 interests of S.V. Mr. Vrooman brought this action on behalf of his minor son, and thus the Court
26 finds no conflict with S.V.’s claims.


1 **CONCLUSION**

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3 Based on the foregoing, Plaintiffs Motion to Appoint Todd Vrooman as Guardian ad Litem
4 for Plaintiff S.V. is **GRANTED**. The Court hereby appoints Todd Vrooman as the guardian ad
5 litem for S.V.

6 **IT IS SO ORDERED.**

7 **Dated:** August 11, 2015

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9
10 MORRISON C. ENGLAND, JR., CHIEF JUDGE
11 UNITED STATES DISTRICT COURT