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HUGUNIN, PATRICK HUGUNIN, D.H., KEITH
CALDWELL, NICOLE HILL, X.C., TRISHA PITTS,
CARL PITTS, and N.P.

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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

2:15-cv-00939-MCE-DAD

**ORDER CONFIRMING
ACCEPTANCE OF RULE 68 OFFER
OF JUDGMENT ON BEHALF OF
NICOLE HILL, KEITH CALDWELL,
AND X.C., A MINOR, BY AND
THROUGH HIS GUARDIANS AD
LITEM NICOLE HILL AND KEITH
CALDWELL AND ALL DEFENDANTS**

Date: January 28, 2016
Time: 2:00 p.m.
Courtroom: 7, Floor 14

19 v.

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

24 The matter came on for hearing on January 28, 2016, on Plaintiffs Keith Caldwell and
25 Nicole Hill’s Motion For Order Confirming Settlement of Minor X.C.’S Claims pursuant to an
26 offer made pursuant to Rule 68 of the Federal Rules of Civil Procedure. Todd Boley and Peter W.
27 Alfert appeared for Plaintiff. The Court, having read the pleadings and the papers filed in support
28 of and in opposition to the motion, having heard the arguments of counsel and being fully apprised

1 therein, and good cause appearing therefor,

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT

3 1. The Court grants the motion to approve the settlement on behalf of the minors as set forth
4 in the motion;

5 2. The October 8, 2015 Joint Rule 68 Offer of Judgment by Defendants Rocklin Unified
6 School District (“RUSD”), Sherry McDaniel, Charles Thibideau, Betty J. Wessinger, Janna
7 Cambra, Kevin Brown, Roger Stock and Dr. Todd Cutter is approved and the Clerk of Court is
8 directed to enter judgment accordingly pursuant to Rule 68 of the Federal Rules of Civil Procedure
9 in favor of Plaintiffs X.C., Nicole Hill and Keith Caldwell.

10 3. The special needs trust for X.J.C. as presented to this Court is hereby approved, and Nicole
11 Elysecia Hill and Keith J. Caldwell as Guardians ad Litem are directed to execute said special
12 needs trust for the minor’s benefit. The sum of \$1,013,916.85 (one million thirteen thousand nine
13 hundred sixteen dollars and eighty five cents) shall be deposited therein. The Trustee of the special
14 needs trust shall be WestAmerica Bank.

15 4. Venue for on-going oversight of the special needs trust established by the order herein shall
16 lie with the Placer County Superior Court, and the Trustee for the special needs trust shall file an
17 account and report with that Court in the manner and frequency called for by the California Probate
18 Code.

19 5. Attorneys’ fees in the amount of \$3,500 (thirty five hundred dollars) shall be paid from the
20 special needs trust to the Dale Law Firm for preparation of the special needs trust for the minor
21 plaintiff.

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1 6. Defendants shall prepare a draft in the amount of \$1,013,916.85 payable to WestAmerica
2 Bank as trustee of the special needs trust.

3 7. Defendants shall prepare a draft in the amount of \$346,083.15 to the Hinton, Alfert and
4 Kahn Trust Account.

5 Dated: February 2, 2016

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