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28IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LaRELL FRANKLIN, et al.,  
Plaintiffs,  
v.  
ALLSTATE CORPORATION et al.,  
Defendant

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No. C-06-1909 MMC

**ORDER GRANTING IN PART  
PLAINTIFF'S MOTION TO  
RECONSIDER; APPROVING MINORS'  
COMPROMISE INCIDENT TO  
SETTLEMENT OF ACTION AGAINST  
ALLSTATE DEFENDANTS; VACATING  
HEARING**

Before the Court is petitioner Dorothy Sewell's administrative motion filed February 5, 2008, in which petitioner requests reconsideration of the Court's order of February 5, 2008, vacating the Court's order approving the minors' compromise.

In a declaration filed in support of such motion, petitioner clarifies she seeks to have each minor's settlement funds placed in a "blocked account." (See Declaration of Dorothy Sewell in Support of Administrative Motion ¶ 5.) Petitioner further explains she currently maintains such an account in each minor's name, which accounts were opened in connection with the distribution of funds to each minor in a state probate proceeding. (See id. ¶ 4.)

In light of the supplemental information provided by petitioner, the Court hereby GRANTS IN PART petitioner's motion for reconsideration, and, upon reconsideration, rules

1 as follows.<sup>1</sup>

2 The Court finds it is in the best interests of the minors that the claim be settled for  
3 the amounts stated in the Second Amended Petition of Dorothy Sewell for Approval of  
4 Minors' Compromise Incident to Settlement of Action Against Allstate Defendants ("Second  
5 Amended Petition"), brought on behalf of minors Deaneer Mona Franklin and Coti  
6 Alexander Franklin. Accordingly, good cause appearing,

7 1. The Second Amended Petition is **GRANTED**.

8 2. The settlement agreement is **APPROVED** with respect to the minors'  
9 compromise contained therein.

10 3. The share of Deaneer Mona Franklin after payment of attorney fees shall be  
11 \$11,250 and the share of Coti Alexander Franklin after payment of attorney fees shall be  
12 \$11,250.

13 4. Said funds shall be held in individual blocked accounts in the names of Deaneer  
14 Mona Franklin and Coti Alexander Franklin, respectively, with petitioner Dorothy Sewell as  
15 custodian. Said accounts shall be separate and distinct from any other account maintained  
16 on behalf of said minors. Upon deposit of said funds, petitioner shall file with the Court a  
17 completed "Receipt and Acknowledgment of Order for the Deposit of Money into Blocked  
18 Account" ("Receipt"). See California Judicial Council Form MC-356.

19 5. A status conference with respect to the deposit of the minors' settlement funds is  
20 hereby set for March 7, 2008 at 10:30 a.m. No appearance is required if a completed  
21 Receipt is filed on or before February 29, 2008.

22 6. Allstate Insurance Company, Kathi Pardi, Richard Reney, Andrew Aspergren and  
23 Nicki Nicolai, and any of their present or former subsidiaries, parents, agents, employees  
24 and representatives (collectively the "Allstate Defendants") shall be fully **RELEASED AND**  
25 **DISCHARGED** from all claims by plaintiffs arising from the facts set forth in the Second  
26 Amended Complaint, in exchange for the payment of \$150,000.00, payable to Petitioner's


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28 <sup>1</sup> The February 8, 2008 hearing on the matter is hereby VACATED.

1 attorney's Interest On Lawyer's Trust Account ("IOLTA") account No. 1-543-0075-9193, in  
2 the name of Cotter & Del Carlo at US Bank, 4610 Mission Street, San Francisco 94112.

3 **IT IS SO ORDERED.**

4 Dated: February 6, 2008

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6 MAXINE M. CHESNEY  
7 United States District Judge

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