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8 Attorneys for Plaintiffs

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 DANIELLE POLLAR, et al.,) Case No. 08-04196 BZ.
12)
13 Plaintiffs,) ~~PROPOSED~~ ORDER APPROVING
14 vs.) EX-PARTE PETITION FOR
15) APPROVAL OF MINOR'S
16) COMPROMISE OF CLAIMS
17)
18 COUNTY OF ALAMEDA, et al.,)
19)
20 Defendants.)
21)
22)
23)
24)
25)

26 Plaintiffs herein, by and through their counsel, submitted a Petition for Court
27 Approval of Minor's Compromise of Claims ("Petition") on April 1, 2010,
28 pertaining to a settlement that Plaintiffs Danielle Pollar, and her children J.A. by
29 and through her Guardian Ad Litem, Shalawn Pollar, had reached with the
30 County of Alameda, the City of Hayward, and all employee-defendants thereof.

31 Upon review of the file and consideration of the Petition, the Declaration of
32 Plaintiffs' counsel and supporting documentation submitted therewith, and the

1 opposition and/or non-opposition of any Defendant provided to the Court prior
2 to the making of this Order, the Court does hereby find and order as follows:

3
4 GOOD CAUSE APPEARING,

5 1. The minor Plaintiff's claims against the Defendant County of Alameda,
6 Defendant City of Hayward, and the individually-named employee-defendants of
7 those entities, as compromised pursuant to the terms of the Settlement
8 Agreement and General Release (as described in the Petition [J.A.'s portion]),
9 the periodic payment schedules (Exhibit A to the Petition, and to the Declaration
10 of Robert R. Powell), and the Non-Qualified Assignment and Release (of
11 Periodic Payment Obligation, redacted to protect the minors' privacy - Ex. B to
12 the Declaration of Robert R. Powell), is approved.
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15 2. Plaintiffs' counsel may attach the fully-executed, non-redacted settlement
16 documents, when obtained, to this Order for purposes of submitting same to
17 Allstate Life Insurance Company.
18

19 3. The Court approves the distribution of attorneys' fees to Plaintiffs' counsel
20 as set forth in the Petition.

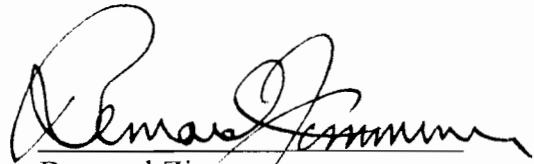
21 4. Should delays in effectuating the financial terms of this settlement cause a
22 decrease in the future payout amount to be received by J.A., no further pleading
23 or order of this Court shall be necessary, so long as the total payout is no less
24
25

1 than \$97,000 to the minor, all other variables (payout dates, purchase price of
2 annuities) remaining the same (current quote is \$102,000 total for the minor).

3
4 5. The Court approves of the dismissal of all claims, of all Plaintiffs, as against
5 Defendant County of Alameda, Defendant City of Hayward, and all employee
6 Defendants of those entities, with prejudice. Plaintiffs' counsel shall submit
7 such dismissal promptly after the annuity/annuities set forth in the settlement
8 documents have been funded, and all other due consideration has been received
9 by Plaintiffs' counsel.
10

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12 **IT IS SO ORDERED**

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14 Dated: 8/16/2010


Bernard Zimmerman
U.S. District Court Magistrate Judge