

Coombs & Dunlap, LLP

1 Karl J. Frisinger, SBN 278773  
 2 Coombs & Dunlap, LLP  
 3 1211 Division Street  
 4 Napa, California 94559  
 5 Telephone: (707) 252-9100  
 6 Facsimile: (707) 252-8516  
 7  
 8 Attorneys for Plaintiff  
 9 Shawn Brackin

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 SHAWN BRACKIN,  
 11 Plaintiff,

12 vs.

13 CALIFORNIA DEPARTMENT OF STATE  
 14 HOSPITALS; NAPA STATE HOSPITAL,  
 15 ET AL,  
 16 Defendants.

No. 15-CV-03351-WHA

PETITION AND ~~PROPOSED~~ ORDER TO  
 APPOINT GUARDIAN AD LITEM FOR  
 PURPOSES OF SETTLEMENT

**Trial Date: December 5, 2016**  
**Action Filed: June 24, 2015**

17 Petitioner states as follows:

- 18 1. Petitioner SHAWN BRACKIN is an inpatient at Napa State Hospital.
- 19 2. Petitioner has no general guardian and no previous petition for appointment of a  
 20 guardian ad litem has been filed in this matter.
- 21 3. Petitioner and Defendants have reached a settlement in this matter. Petitioner agrees  
 22 to the terms of the settlement agreement.
- 23 4. However, in an abundance of caution the parties stipulate that having a guardian ad  
 24 litem appointed to approve of and sign the settlement agreement is in the best interest  
 25 of justice in bringing this mater to a full and final resolution.
- 26 5. Petitioner proposes Mr. Frank Brackin, SHAWN BRACKIN's father, be appointed as  
 27 the guardian ad litem. Mr. Frank Brackin's address is 1400 Dorchester Avenue  
 28 Roseville, CA 95678. Mr. Frank Brackin is a competent and responsible person, and

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fully competent to act as the guardian ad litem.

6. Mr. Frank Brackin is willing to act as guardian ad litem for petitioner, as appears by his consent below.

7. Ms. Barbara Brackin is the mother of Shawn Brackin and the wife of Mr. Frank Brackin. She agrees and consents to the appointment of Mr. Frank Brackin as the guardian ad litem, as appears by her consent below.

WHEREFORE, petitioner moves this court for an order appointing Frank Brackin as guardian ad litem of petitioner for the purpose of approving and signing the Settlement Agreement in this matter.

Dated: September 8, 2016

KARL J. FRISINGER, ESQ.  
COOMBS & DUNLAP, LLP

/s/ Karl J. Frisinger  
KARL J. FRISINGER, ESQ.  
*Attorneys for Plaintiff Shawn Brackin*

Dated: September 8, 2016

KAMALA D. HARRIS  
Attorney General of California  
JEFFREY R. VINCENT  
Supervising Deputy Attorney General

/s/ Wil Fong  
WIL FONG  
Deputy Attorney General  
*Attorneys for Defendants*

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**CONSENT OF SHAWN BRACKIN**

I, Shawn Brackin, consent to Frank Brackin acting as guardian ad litem for me in the above action.

DATED: September 8, 2016

  
Shawn Brackin

**CONSENT OF FRANK BRACKIN**

I, Frank Brackin, the nominee and Father of Shawn Brackin, consent to act as guardian ad litem for Shawn Brackin in the above action.

DATED: September 8, 2016

  
Frank Brackin

**CONSENT OF BARBARA BRACKIN**

I, Barbara Brackin, the wife of Frank Brackin and Mother of Shawn Brackin consent to Mr. Frank Brackin as guardian ad litem for Shawn Brackin in the above action.

DATED: September 8, 2016

  
Barbara Brackin

**ORDER**

The petition for an order appointing Frank Brackin as guardian ad litem for petitioner is GRANTED.

DATED: September 19, 2016

  
UNITED STATES DISTRICT JUDGE