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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

S.S. (A MINOR) BY AND THROUGH JILL
AND KRIS SULKA AS GUARDIANS AD
LITEM FOR S.S.,

Plaintiff,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT,

Defendant.

Case No. [16-cv-05632-HSG](#)

**ORDER GRANTING MOTION TO
APPROVE SETTLEMENT
AGREEMENT OF MINOR’S CLAIM
AND APPORTIONMENT OF
SETTLEMENT PROCEEDS**

Re: Dkt. No. 37

Pending before the Court is the unopposed motion for an order to approve the settlement of claims and the related distribution of settlement proceeds as entered into by Plaintiff S.S., a minor, by and through her Guardians ad litem, Jill and Kriss Sulka, (collectively, “Plaintiff”) and Defendant Oakland Unified School District (“Defendant”). *See* Dkt. No. 37.

Upon review of the motion and following the hearing held on November 9, 2017, the Court finds that the settlement is in the best interest of S.S. *Cf. Robidoux v. Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011) (“District courts have a special duty, derived from Federal Rule of Civil Procedure 17(c), to safeguard the interests of litigants who are minors [which includes a duty to] conduct its own inquiry to determine whether the settlement serves the best interest of the minor.”). Under the settlement agreement, Defendant will pay \$85,000 for Plaintiff’s benefit, will reimburse mediation costs, and will cooperate in S.S.’s inter-district transfer. *See* Dkt. No. 38 at 3–4. The Court further finds that the parties’ proposed apportionment of the settlement proceeds is fair, including the attorneys’ fees award to Leigh Law Group, P.C. given their diligence in prosecuting this action to date.

Accordingly, the Court **GRANTS** the motion to approve the settlement agreement and the

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following disbursement of settlement proceeds:

1. Defendant shall deposit \$54,825.08 in settlement and \$3,600 for the mediation fee into the Leigh Law Group, P.C.'s client trust account;
2. \$42,225.04 shall be payable to the Leigh Law Group, P.C. for its attorneys' fees and costs;
3. The remaining \$12,600.04 shall be payable to S.S. in a blocked account at a federally insured financial institution; and
4. Defendant shall deposit \$33,774.92 with Barco Assignments for a deferred annuity with Liberty Life Assurance Company of Boston pursuant to California Probate Code § 3611(b), which will begin payment to S.S. at age 21 for a period of five years.

The parties shall have 60 days from the date of this order to complete the disbursement as directed above. The clerk is directed to close the case.

IT IS SO ORDERED.

Dated: 11/9/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge