

FILED

MAY 17 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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7 Attorneys for Plaintiffs

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9 **IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA**
10 **NORTHERN DISTRICT OF THE STATE OF CALIFORNIA**
11 **SAN JOSE DIVISION**

12 JIMMY D. HAWS, SETH DANIEL HAWS,
and MIA SKYE HAWS, minors, by and
13 through their guardian ad litem, CARRIE
A. HAWS, and CARRIE A. HAWS,
individually,

14 Plaintiffs,

15 v.

16 COUNTY OF MONTEREY, MICHAEL
KANALAKIS, NATIVIDAD MEDICAL
17 CENTER and DOES 1-300, inclusive,

18 Defendants.

CASE NO.:

C07 02599

**PETITION AND ORDER FOR
APPOINTMENT OF GUARDIAN AD
LITEM**

19 Petitioner states as follows:

20 1. I am the parent of Seth Daniel Haws, a minor of the age of four years; and Mia Skye
21 Haws, a minor of the age of three years, and the wife of Jimmy D. Haws.

22 2. I am about to commence an action in this court against the County of Monterey for
23 loss of consortium on behalf of me and my minor children and violation of civil rights of my
24 husband, Jimmy D. Haws who suffered severe brain damages in an assault at the Monterey County
25 Jail due to the fault of the County of Monterey and others.

26 3. My children and my husband have no general guardian and no previous petition for
27

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1 appointment of a guardian ad litem has been filed in this matter.

2 4. I, Carrie A. Haws, reside at 210 Vivian Street, King City, California 93930, am a
3 competent and responsible person and fully competent to act as guardian ad litem for my children,
4 Seth and Mia, and my husband, Jimmy D. Haws.

5 5. I, Carrie A. Haws am willing to act as guardian ad litem of my children, Seth and Mia
6 and my husband, Jimmy D. Haws.

7 WHEREFORE, petitioner moves the Court for an order appointing her as guardian ad litem
8 of Seth Daniel Haws, a minor, Mia Skye Haws, a minor, and Jimmy D. Haws, an incompetent person
9 for the purposes of bringing action against the County of Monterey, et al, on the claim hereinabove
10 stated.

11 Date: May 2, 2007

LAW OFFICE OF MICHAEL B. MOORE

12 By: Michael B. Moore
13 Michael B. Moore, Attorney for Petitioner

14 **CONSENT OF PETITIONER/NOMINEE**

15 I, CARRIE A. HAWS, Petitioner and Nominee herein, consent to act as guardian ad litem
16 for my minor children, Seth Daniel Haws and Mia Skye Haws, and for my husband, Jimmy D. Haws.

17 By: Carrie A. Haws
18 Carrie A. Haws, Petitioner/Nominee
19

20 **ORDER**

21 The petition for order appointing CARRIE A. HAWS as guardian ad litem for the minor
22 children, Seth Daniel Haws and Mia Sky Haws, and for Jimmy D. Haws is GRANTED.

23 Dated: May 17, 2007
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25 [Signature]
26 United States District Judge
27 Maximus Judge

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