

1 DONNIE R. COX (SBN: 137950)
 2 DENNIS B. ATCHLEY (SBN: 70036)
 3 LAW OFFICES OF DONNIE R. COX
 402 NORTH NEVADA STREET
 3 OCEANSIDE, CA 92054-2025
 4 TELEPHONE (760) 400-0263

5 PAUL W. LEEHEY, ESQ., (SBN 92009)
 6 LAW OFFICES OF PAUL LEEHEY
 205 WEST ALVARADO STREET
 6 FALLBROOK, CA 92028
 7 TELEPHONE (760) 723-0711

8 ROBERT R. POWELL, ESQ. (SBN: 159747)
 9 DENNIS R. INGOLS, ESQ. (SBN: 236458)
 10 LAW OFFICES OF ROBERT R. POWELL
 925 WEST HEDDING STREET
 11 SAN JOSE, CA 95126-1216
 12 TELEPHONE (408) 553-0200

11 Attorneys for Plaintiffs
 12 Gayle Leier, individually and as
 13 Guardian Ad Litem for J.L. and D.L.

14 **IN THE UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 GAYLE LEIER, individually and as)
 16 Guardian Ad Litem for minor Plaintiffs)
 17 J.L. and D.L.)
 18 Plaintiffs,)
 19 vs.)
 20 COUNTY OF SAN BENITO,)
 21 Jennifer Cress, Tracey Belton,)
 22 and Does 1-10 inclusive)
 23 Defendants.)

Case Number: C 09-02240 PVT

 ORDER GRANTING
 PETITION FOR APPROVAL
 MINORS' COMPROMISE OF
 DISPUTED CLAIM FOR MINORS
 J.L. and D.L.

24 Upon review of the file and consideration of the documents submitted to the Court, the
 25 Court does hereby find and order as follows:

- 26
 27 1. As a result of said incident, said minors, their grandmother/plaintiff GAYLE LEIER filed a
 28 claim for damages against the COUNTY OF SAN BENITO, and individual County of San Benito

1 employee-defendants.

2 a. J.L., a minor, to receive \$130,000.00 and pay attorneys fees in the amount of
3 \$45,500.00, the remaining sum of \$84,500.00 to be placed in two annuities, the details of which are
4 attached to this order as Exhibit "1."
5

6 b. D.L., a minor, to receive \$40,000.00 and pay attorneys fees in the amount of
7 \$20,000.00, the remaining sum of \$20,000.00 to be placed in an annuity, the details of which are
8 attached to this order as Exhibit "1."
9

10 c. Gayle Leier, to receive \$130,000.00.

11 d. Counsel agree to waive costs.

12 2. Plaintiffs' counsel may attach the fully-executed Judgment on Stipulation document, as
13 modified by this Order, including the Exhibit 1 attached to the Petition for Minor's Compromise, to
14 this Order for purposes of submitting same to Pruco Assignment Corporation (PRUCO) The
15 Prudential Life Insurance Company of America, Allstate, and/or Ringler Associates.
16

17 3. The Court approves of the dismissal of all claims, of all Plaintiffs, as to the individually
18 named employee-defendants, and all employees of the County of San Benito, with prejudice.
19 Plaintiffs counsel shall submit such dismissal promptly after the annuity/annuities set forth in the
20 Judgment on Stipulation have been funded, and all other consideration has been received by
21 Plaintiffs counsel.
22

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 4. In the event that the annuities are not fully funded by the time the current rate quote expires
2 on October 1, 2009, and a new quote must be generated, the parties, The Prudential Insurance
3 Company of America, (PRUCO Assignment Corporation), Allstate and/or Ringler Associates may
4 proceed to execute and fund the required annuities without need for further order of this Court, so
5 long as the future payments to be received by minor Plaintiffs do not increase or decrease more than
6 five percent (5%), and all other terms of the structured settlement remain the same (input amounts,
7 dates of future payments, distribution between Plaintiffs and their counsel).
8

9 **IT IS SO ORDERED**

10
11 9/3/09

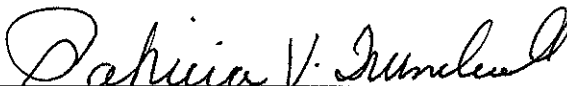
12 
13 Patricia V. Muncie
14 U.S. District Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "1"



Pruco Assignment Corporation

St. James House, 2nd Street
St. James, Barbados

The Pruco Assignment Corporation is presenting this Annuity Quote which, if accepted, would be funded by an insurance contract issued by The Prudential Insurance Company of America.

Annuity Quote for: [REDACTED] - 10/1/09PD

Owner Jurisdiction :	Barbados (0.00% tax)	Quote Date	05/14/2009
Rate Series	PRU131	Purchase Date	10/01/2009
Rates Effective :	04/22/2009	Expiration Date	09/30/2009

Payments For : [REDACTED] Female, Date of Birth: [REDACTED] Age: 14

<u>Lump Sums</u>	<u>Amount</u>	<u>Age</u>	<u>Payment Date</u>	<u>Premium Incl 0.00% Tax</u>
Lump Sum Guaranteed	\$74,766.04	25	[REDACTED]	\$44,500.00
Subtotal For : [REDACTED]				\$44,500.00

Payments For : [REDACTED] Male, Date of Birth: [REDACTED] Age: 6

<u>Lump Sums</u>	<u>Amount</u>	<u>Age</u>	<u>Payment Date</u>	<u>Premium Incl 0.00% Tax</u>
Lump Sum Guaranteed	\$53,906.12	25	[REDACTED]	\$19,500.00
Subtotal For : [REDACTED]				\$19,500.00

SUMMARY INFORMATION

ANNUITY COST.....	\$64,000.00
Assignment Fee.....	\$1,000.00
TOTAL ANNUITY COST W/ FEES	\$65,000.00

The Structured Settlement Broker presenting this quote must confirm that this Quote complies with Prudential's underwriting guidelines. This is presented.

This Pruco Assignment Corporation Quote will not be binding on the Pruco Assignment Corporation except as otherwise set forth herein. This Quote may only be accepted in its entirety and not in part unless approved by the Pruco Assignment Corporation.

Quote Purchase Date is after Quote Expiration Date. The premium due or rate commitment letter must be submitted on or before the Expiration Date. If a rate commitment letter is properly submitted, the premium due must be submitted on or before the Purchase Date.

Once accepted, the Pruco Assignment Corporation may withhold payments and not release a contract until all required documents are received. Until a beneficiary designation form is signed by the payee(s), the beneficiary will be the estate of the payee(s).

- * Defined Term: see Definitions Report for details
- ** PLEASE FURNISH A COPY OF THIS ILLUSTRATION WITH THE DATA TRANSMITTAL FORM



Allstate

You're in good hands.

Date Prepared: 09/03/2009

Allstate Life Insurance Company

Description Of Benefits	Guaranteed Benefits	Cost
For: ██████████ Sex: Female \$17,417.23 yearly, guaranteed for 4 years, beginning 01/20/2022, and ending 01/20/2025.	\$69,669	\$39,000
Sub Total	\$69,669	\$39,000
TOTAL EXPECTED AND GUARANTEED BENEFITS:	\$69,669	
ASSIGNMENT FEE:		\$500
TOTAL COST:		\$39,500
Assumed Deposit Date:	11/01/2009	
Rate Code:	08/13/2009	

Quotes are valid for 7 days unless Allstate announces a rate change.
 Normal Life Expectancies are taken from the 2002 U.S. Life Tables.