

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LISA PERRIZO, RANO PERRIZO, and
K.P., a minor, by and through his guardians
ad litem LISA PERRIZO and RANO
PERRIZO,

Plaintiffs,

v.

SANTA CLARA COUNTY OFFICE OF
EDUCATION, NANCY GUERRERO,
CAROLINA LLURIA, APRIL CARLSON,
DAVID DRIESBACH, and DOES 1-30,

Defendants.

Case No. 5:15-cv-01512 HRL

**ORDER GRANTING MOTION FOR
APPOINTMENT OF GUARDIANS AD
LITEM**

[Re: Dkt. 9]

Lisa and Rano Perrizo (Parents) request appointment as guardians ad litem for their son, K.P. Specifically, Lisa Rano asks to be appointed guardian ad litem, and Rano Perrizo asks to be appointed co-guardian ad litem.


Usually, “only one party may act in a representative capacity with respect to an infant or incompetent who comes before the court.” Neilson v. Colgate-Palmolive Co., 199 F.3d 642, 650 (2d Cir. 1999) (citing Garrick v. Weaver, 888 F.2d 687, 693 (10th Cir. 1989)). Permitting two parties to represent minor children interferes with the orderly development of the lawsuit because the minor children could take inconsistent positions through multiple representatives. Garrick, 888 F.2d at 693. Parents would have this court find that they have no conflicts of interest because

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they “brought this action solely on behalf of their minor child . . .” (Dkt. 9-4 at 3). However, the amended complaint (the operative pleading) states that Parents are also suing for themselves. (Dkt. 7). Nevertheless, on the record presented, it is not apparent that Parents’ appointment will interfere with the orderly development of this lawsuit, and the court finds no basis to discredit Parents’ representation as to their lack of any conflicting or adverse interests vis-a-vis those of K.P. Accordingly, the court, in its discretion, grants their motion.

SO ORDERED.

Dated: May 19, 2015



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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5:15-cv-01512-HRL Notice has been electronically mailed to:

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