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7 Attorneys for Plaintiffs MICHAEL MALLOY, AMI MALLOY, L.S. MALLOY &
 8 E.S. MALLOY

9 UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION – ECF PROGRAM

<p>12 MICHAEL MALLOY; AMI MALLOY; 13 L.S. MALLOY, a minor by and through 14 his proposed guardian ad litem AMI 15 MALLOY; E.S. MALLOY, a minor by 16 and through his proposed guardian ad 17 litem AMI MALLOY, 18 Plaintiffs, 19 v. 20 COUNTY OF SANTA CRUZ, CITY OF 21 SCOTTS VALLEY, OFFICER 22 MICHAEL BIRLY; CAROLYN 23 STRAGE; WENDELL STAMPS; 24 YOONI POMPER; ERIN BURTON; 25 STEPHANIE VICOTTI, ANGELICA 26 GLASS; JUDY YOKEL; CECILIA 27 ESPINOZA; BEATRICE MONJAREZ; AND 20 UNKNOWN AGENTS/EMPLOYEES OF THE COUNTY OF SANTA CRUZ AND THE CITY OF SCOTTS VALLEY, Defendants.</p>	<p>Case No. 5:16-cv-05135 EJD PLAINTIFFS’ MOTION AND REQUEST FOR ORDER RE: MINORS’ COMPROMISE; [PROPOSED] ORDER</p>
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I. BASIS FOR MOTION

This case presents claims by Plaintiffs, Ami Malloy, Michael Malloy and their children L.S. and E.S., that the defendants unlawfully arrested them, used excessive force and removed the minor children from their parents.

All defendants have, and still do, contended throughout the litigation that their actions were reasonable and lawful.

The matter proceeded to mediation on August 10, 2017, before Claudia Leed, Esq. and the matter settled for \$9,750.

The defendants do not oppose the proposed distribution set forth herein below, thereby eliminating the need for a hearing.

II. PARTIES

The parties to this settlement are as follows:

1. Plaintiff Ami Malloy
2. Plaintiff Michael Malloy
3. Plaintiff E.S., minor son of Ami and Michael Malloy, by and through his mother and Guardian Ad Litem, Ami Malloy.
4. Plaintiff L.S., minor son of Ami and Michael Malloy, by and through his mother and Guardian Ad Litem, Ami Malloy.
5. minor son of Ami and Michael Malloy, by and through his mother and Guardian Ad Litem, Ami Malloy.

1 Malloy and E.S. and L.S. Malloy, the minor children of the Malloys, represented by
2 their mother, Ami Malloy as their Guardian Ad Litem. The Court is also asked to
3 approve the payment to counsel for plaintiffs of 1/3 of the settlement amount
4 totalling \$3,250. Counsel has waived repayment of costs.

6 Plaintiffs' counsel had no prior relationship with any Plaintiff prior to
7 representing them in this case.

9 Plaintiffs' counsel submits that her fees are reasonable and should be
10 awarded in the amount requested.

11 **V. CONCLUSION**

12 Plaintiffs and their counsel request the Court's approval of the
13 distribution of the proceeds of the settlement as set forth herein above and the
14 payment of attorney fees, without a hearing.
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17 Respectfully submitted,

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20 Dated: August 23, 2017

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23 /s/ Kathleen E. Wells
24 KATHLEEN E. WELLS
25 Attorney for Plaintiffs
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[PROPOSED] ORDER

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GOOD CAUSE APPEARING THEREFOR

The court hereby approves the plaintiffs' Request for Compromise of
Claims as set forth in their motion.

Dated: August 24, 2018



U.S. DISTRICT COURT JUDGE EDWARD J. DAVILA