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**UNITED STATES DISTRICT COURT**

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**SOUTHERN DISTRICT OF CALIFORNIA**

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D.S., By and Through Her Mother  
Rosalind Solo; and ROSALIND  
SOLO,

CASE NO. 15cv1356-WQH-AGS

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ORDER

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Plaintiffs,

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v.

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AMERICAN ASSOCIATION OF  
UNIVERSITY WOMEN;  
AMERICAN ASSOCIATION OF  
UNIVERSITY WOMEN OF THE  
STATE OF CALIFORNIA, INC.;  
REGENTS OF THE UNIVERSITY  
OF CALIFORNIA; and DOES 1  
through 10, inclusive,

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Defendants.

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HAYES, Judge:

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The matter before the Court is the Joint Application for Approval of Settlement filed by Plaintiffs D.S. and Rosalind Solo and Defendant Regents of the University of California (ECF No. 72) and the Report and Recommendation issued by United States Magistrate Judge Andrew G. Schopler recommending that (1) the parties' joint motion to approve the settlement be granted; and, (2) the compromise and settlement of the claims of the minor, D.S., be approved as fair and reasonable and in the best interests of the minor plaintiff. (ECF No. 74).

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**I. Background**

On June 21, 2016, Plaintiffs Rosalind Solo and D.S., a minor, by and through her guardian ad litem, Rosalind Solo, filed a First Amended Complaint against Defendants

1 American Association of University Women (“AAUW”); American Association of  
2 University Women of the State of California, Inc. (“AAUW - CA”); and, the Regents  
3 of the University of California (“The Regents”). (ECF No. 45). Plaintiffs’ causes of  
4 action arise from allegations that Defendants discriminated against D.S. based on her  
5 disability during a one-week middle school camp hosted by AAUW and AAUW-CA  
6 and held at University of California, San Diego (“UCSD”) in space leased by The  
7 Regents. *Id.* The Complaint alleges the following claims: (1) violations of the  
8 Americans with Disabilities Act and the Rehabilitation Act of 1973; (2) violation of the  
9 California Unruh Civil Rights Act; (3) declaratory relief; (4) injunctive relief; (5) false  
10 or reckless reporting of alleged child abuse; (6) negligence and retaliatory reporting;  
11 and, (6) negligence per se. *Id.*

12 On April 11, 2017, Plaintiffs and Defendant The Regents filed a joint application  
13 for approval of settlement.<sup>1</sup> (ECF No. 72). The proposed settlement between Plaintiffs  
14 and The Regents provides that Plaintiffs will not receive monetary damages and that  
15 The Regents agree to include certain provisions in future conference contracts with  
16 AAUW-CA or AAUW for the lease of space at UCSD for at least five years following  
17 the effective date of the settlement agreement. The required provisions are as follows:

18 (1) The Organization [AAUW or AAUW-CA] is required to comply with  
19 state and federal laws regarding the accommodation of participants and  
applicants with disabilities.

20 (2) The Organization [AAUW or AAUW-CA] shall provide participants  
21 with information regarding the Organization’s obligation to comply with  
22 state and federal law regarding the accommodation of participants with  
disabilities and describing a method for participants to raise concerns  
regarding disability accommodations with the Organization.

23 The Regents agree to consider adding these provisions in other UCSD conference  
24 contracts. Further, The Regents agree to provide Plaintiffs’ counsel, upon written  
25 request, with a copy of any conference contracts for the lease of space at UCSD  
26 between The Regents and AAUW and/or AAUW-CA. (ECF No. 72).

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28 <sup>1</sup> Defendants AAUW and AAUW-CA are not a party to this settlement and  
remain in the suit. Both of the remaining Defendants have motions to dismiss pending  
before the Court. (ECF Nos. 59, 61).

1 On May 22, 2017, United States Magistrate Judge Andrew G. Schopler issued  
2 the Report and Recommendation recommending that the parties joint motion to approve  
3 the settlement be granted and that the compromise and settlement of the claims of the  
4 minor, D.S., be approved as fair and reasonable and in the best interests of the minor  
5 plaintiff. (ECF No. 74). The Order stated that any objections to the Report and  
6 Recommendation should be filed by June 5, 2017. *Id.* The docket reflects that no  
7 objections have been filed.

## 8 **II. Review of the Report and Recommendation**

9 The duties of the district court in connection with a report and recommendation  
10 of a magistrate judge are set forth in Federal Rule of Civil Procedure 72(b) and 28  
11 U.S.C. § 636(b). The district judge must “make a *de novo* determination of those  
12 portions of the report ... to which objection is made,” and “may accept, reject, or  
13 modify, in whole or in part, the findings or recommendations made by the magistrate.”  
14 28 U.S.C. § 636(b). The district court need not review *de novo* those portions of a  
15 Report and Recommendation to which neither party objects. *See Wang v. Masaitis*, 416  
16 F.3d 992, 1000 n.13 (9th Cir. 2005); *U.S. v. Reyna-Tapia*, 328 F.3d 1114, 1121-22 (9th  
17 Cir. 2003) (en banc).

18 After a review of the Report and Recommendation, the Court concludes that the  
19 Magistrate Judge correctly found that the settlement between Plaintiffs and The Regents  
20 is fair, reasonable and in the best interests of D.S., the minor plaintiff. *Robidoux v.*  
21 *Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011) (holding that district courts have a  
22 special duty “to safeguard the interest of litigants who are minors” requiring that courts  
23 conduct an inquiry into whether a proposed settlement is in the best interest of a minor  
24 plaintiff).

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1 **III. Conclusion**

2 IT IS HEREBY ORDERED that: (1) the Report and Recommendation (ECF No.  
3 74) is ADOPTED in its entirety; and (2) the Joint Application for Approval of  
4 Settlement (ECF No. 72) is GRANTED.

5 DATED: June 28, 2017

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7 **WILLIAM Q. HAYES**  
United States District Judge

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