

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MIKE POSTELL, through his next
friend, SURETTA POSTELL, ANGELO
POSTELL, SHAWN POSTELL, and,
MARCUS PRICE,

Case Number 06-CV-13370
Honorable David M. Lawson

Plaintiffs,

v.

CITY OF PONTIAC, DWIGHT GREEN,
OFFICER LOPEZ (Badge No. 600),
AARON SAILOR (Badge No. 649), and
OTHER UNKNOWN DEFENDANTS,

Defendants.

_____/

**ORDER VACATING ORDER OF DISMISSAL AND DIRECTING FILING OF MOTION
TO APPROVE SETTLEMENT**

On June 11, 2007, the Court entered an order of dismissal pursuant to the parties' settlement of this action. That order was entered in error. Because one of the plaintiffs in this case is a minor, the Court is required to review the proposed settlement and determine that it is in the best interests of that plaintiff before entering any order of dismissal. Mich. Ct. R. 2.420; *Dean v. Holiday Inns, Inc.*, 860 F.2d 670, 673 (6th Cir. 1988). The Court will therefore vacate the order of dismissal and direct counsel for the minor plaintiff to file a motion for approval of the proposed settlement agreement.

Accordingly, it is **ORDERED** that the order of dismissal [dkt # 44] is **VACATED**.

It is further **ORDERED** that counsel for the minor plaintiff is directed to file a motion for approval of the proposed settlement agreement on or before **June 18, 2007**.

It is further **ORDERED** that the hearing on the defendants' motion for summary judgment,

presently scheduled for June 12, 2007, is **ADJOURNED** pending further order of the Court.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: June 12, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 12, 2007.

s/Felicia M. Moses
FELICIA M. MOSES