

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

MARCUS PETERS, by and through his)
next friend, GWEN PETERS,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)

No. 15-03017-CV-S-DGK

**ORDER MODIFYING THE TYPE OF ANNUITIES GWEN PETERS MUST
PURCHASE AS PART OF PLAINTIFF’S SETTLEMENT**

Having considered Plaintiff’s unopposed Motion to Modify the Court Order of July 18, 2016 (Doc. 68), it is hereby

ORDERED that the motion is granted. The Court previously ordered Gwen Peters to purchase secondary-market, AAA-rated, structured-settlement annuities to be invested for Plaintiff’s sole use and benefit until he turns eighteen. Plaintiff advises that there are no AAA-rated securities.

Therefore, the Court modifies its previous order (Doc. 67) to instead require Gwen Peters to transfer Plaintiff’s net settlement proceeds into secondary-market, structured-settlement annuities that are rated A-, A, A+, or A++. If such annuities are not available, Gwen Peters must open a minor conservatorship estate for the benefit of Plaintiff in accordance with the state of law of his domicile. *See* Mo. Rev. Stat. § 507.188.2. Gwen Peters must file proof of compliance with either of these alternatives once the net settlement proceeds have been distributed. Once she has done so, Plaintiff must file a dismissal with prejudice of all claims in the case.

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Date: September 15, 2016