

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

THOMAS HODGES and CHERYL  
HODGES, Individually and as  
guardian of Thomas Hodges,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,  
ROLLIN BEARSS, M.D., BENEFIS  
MEDICAL GROUP, and JOHN DOES  
I-III,

Defendants.

CV 19-46-GF-BMM-JTJ

**ORDER**

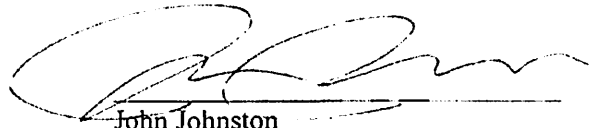
Plaintiffs and the United States have reached a settlement in this case. The terms of the settlement are set forth in the Stipulation for Compromise Settlement and Release filed as Document 64-2. The settlement agreement provides that Plaintiffs must obtain Court approval of the settlement if any Plaintiff is a legally incompetent adult. (Doc. 64-2 at 4). Plaintiff Thomas Hodges is a legally incompetent adult. Thomas's wife Cheryl Hodges has been appointed as Thomas's Full Guardian and Conservator. (Doc. 64-1 at 4). The Letters of Full Guardianship and Conservatorship are attached to the Complaint. (Doc. 1-1). Chief United States District Judge Brian Morris referred this matter to the undersigned on November 12, 2021, for approval of the settlement. (Doc. 65).

The Court has knowledge of the claims and defenses asserted in this matter. The Court has knowledge of Plaintiffs' settlement agreement with the United States as the undersigned conducted the settlement conference in this matter on October 19, 2021. The undersigned also has knowledge of Thomas Hodges's medical condition and disabilities as Thomas was present at the settlement conference. The Court finds that the settlement between Plaintiffs and the United States is reasonable and in the best interests of Thomas Hodges.

Accordingly, IT IS HEREBY ORDERED:

1. The Court APPROVES the settlement of Plaintiffs' claims against the United States in this case for the sum of \$1,000,000. (*See* Doc. 64-2 at 2).
2. Cheryl Hodges is authorized to execute a settlement agreement and release that releases the United States from all damages arising out of the claims asserted by Thomas Hodges.

DATED this 18th day of November, 2021.



John Johnston  
United States Magistrate Judge