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DENNIS M. PRINCE  
Nevada Bar No. 5092  
**PRINCE & KEATING**  
3230 S. Buffalo Drive, Suite 108  
Las Vegas, Nevada 89117  
(702) 228-6800  
(702) 228-0443 facsimile  
*DPrince@PrinceKeating.com*  
Attorney for Defendants  
*Avonne Atkinson, Alexis McDaniels, a minor,*  
*and Dietra Diane Atkinson as Guardian of the*  
*Estate of Alexis McDaniels*

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

OLD MUTUAL FINANCIAL LIFE  
INSURANCE COMPANY,

Plaintiff,

vs.

AVONNE ATKINSON, individually,  
ALEXIS MCDANIELS (a minor),  
individually and DIETRA DIANE  
ATKINSON, as Guardian of the Estate of  
ALEXIS MCDANIELS, DOE  
INDIVIDUALS I through X, inclusive,  
and ROE ENTITIES I through X,  
inclusive,

Defendants.

AVONNE ATKINSON, individually,  
ALEXIS MCDANIELS (a minor),  
individually and DIETRA DIANE  
ATKINSON, as Guardian of the Estate of  
ALEXIS MCDANIELS,

Counterclaimants,

vs.

OLD LIBERTY MUTUAL FINANCIAL  
INSURANCE COMPANY,

Counterdefendant.

CASE NO. : 2:10-CV-572-RLH-PAL

**STIPULATION AND ORDER FOR**  
**DISMISSAL WITH PREJUDICE**

1 IT IS HEREBY STIPULATED by and between the parties, by and through their  
2  
3 respective counsel of record, that the above-captioned matter shall be dismissed with  
4  
5 prejudice, as to all claims and all parties, each party to bear their own costs and attorney's  
6  
7 fees.


8 A copy of the file-stamped Order Approving the Minor's Compromise is attached as  
9  
10 Exhibit 1.

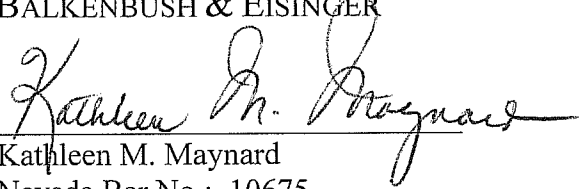
11 Dated: 2/3/11

12 Dated: 2/3/11

13 PRINCE & KEATING

14 THORNDAL, ARMSTRONG, DELK,  
15 BALKENBUSH & EISINGER

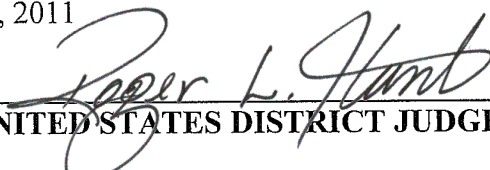
16  #6373  
17           
18 Dennis M. Prince  
19 Nevada Bar No. 5092  
20 3230 South Buffalo Drive, Suite 108  
21 Las Vegas, Nevada 89117  
22 Attorney for Defendants  
23 *Avonne Atkinson, Alexis McDaniels, a*  
24 *minor, and Dietra Diane Atkinson as*  
25 *Guardian of the Estate of Alexis*  
26 *McDaniels*

27   
28           
29 Kathleen M. Maynard  
30 Nevada Bar No.: 10675  
31 1100 E. Bridger Avenue  
32 Las Vegas, Nevada 89101  
33 Attorney for Plaintiff  
34 *Old Mutual Financial Life Insurance*  
35 *Company*

36 **ORDER**

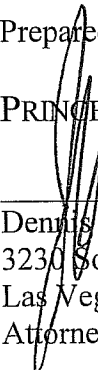
37 **IT IS SO ORDERED.**

38 Dated this 7th day of February, 2011

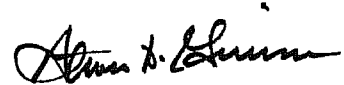
39   
40           
41 UNITED STATES DISTRICT JUDGE

42 Prepared and submitted by:

43 PRINCE & KEATING

44  #6373  
45           
46 Dennis M. Prince  
47 3230 South Buffalo Drive, Suite 108  
48 Las Vegas, Nevada 89117  
49 Attorney for Defendants/Counterclaimants

# EXHIBIT 1

  
CLERK OF THE COURT

1 **ORDG**  
2 DENNIS M. PRINCE  
3 Nevada Bar No. 5092  
4 **PRINCE & KEATING**  
5 3230 South Buffalo Drive  
6 Suite 108  
7 Las Vegas, Nevada 89117  
8 (702) 228-6800  
9 (702) 228-0443 facsimile  
10 *dprince@princekeating.com*  
11 Attorney for Petitioner

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 In Re the Disputed Claim of:  
12 ALEXIS MCDANIELS,  
13 a minor.

CASE NO. : A10-631908-M  
DEPT. NO.: XVI

14  
15 **ORDER GRANTING COMPROMISE OF DISPUTED CLAIM OF A MINOR**

16 This matter having come on for hearing upon the Petition and Application for an  
17 Ordering Compromising Disputed Claim of Alexis McDaniels, a minor, the Petitioner  
18 appearing by and through their attorneys, PRINCE & KEATING, and the Court, having  
19 considered the Petition and Application of Dietra Atkinson, parent and natural guardian of  
20 Alexis McDaniels, a minor, to compromise the claim on behalf of said minor child arising  
21 out of a claim for life insurance benefits against Old Mutual Financial Life Insurance  
22 Company as a result of the death of the minor's father, Michael McDaniels; and the Court  
23 finding that the allegations of said Petition are true and that it is in the best interest of said  
24 minor that the disputed additional claim be settled as proposed in the Petition:  
25

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27 ...  
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01-07-11 09:01 RC

1  
2 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the proposed  
3 settlement of the claim of Alexis McDaniels, a minor, against Old Mutual Financial Life  
4 Insurance Company be, and the same is hereby approved for the personal injury claims made  
5 by said minor in the total sum of TWENTY-FIVE THOUSAND (\$ 25,000.00) DOLLARS to  
6 be disbursed as follows:

7 Attorney's Fees (33%) \$ 8,335.00  
8 Costs of suit \$ 343.16  
9  
10 Amount to be deposited into Blocked  
11 Trust Account \$ 16,321.84

12 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED:**

- 13 6. A. Authorization to deposit said settlement funds in the amount  
14 of Sixteen Thousand Three Hundred Twenty-One Dollars and  
15 84/100 (\$16,321.84) into a blocked trust account at Wells Fargo  
16 Bank on behalf of Alexis McDaniels, minor, is hereby given to  
17 Petitioner;  
18  
19 B. Funds deposited in the blocked trust account shall not be  
20 removed, liquidated or diminished prior to the minor reaching  
21 the age of eighteen (18) years without Court approval upon a  
22 showing that the withdrawal is in the best interest of that minor  
23 child;

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C. Petitioner and PRINCE & KEATING, shall cause, within sixty (60) days of the date of this order, proof to be filed with this court that the blocked annuity accounts have been established;

D. A status check before this Court is set for March 15, 2011 <sup>9:00AM</sup> to show compliance with this Order. In the event the proof of compliance has been filed with this Court, it will not be necessary for the Petitioner or Dennis M. Prince to attend this status check hearing;

E. IT IS FURTHER ORDERED that the trustee or petitioner **SHALL** file periodic verified annual reports in order to detail the activities of the blocked annuity account during the previous twelve (12) months pursuant to NRS 41.200(5); and,

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that said Petitioners are to execute a full and final release and to discharge Old Mutual Financial Life Insurance Company of and from all claims, charges and demands for a claim for life insurance benefits

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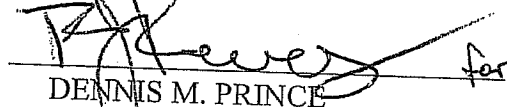
1 against Old Mutual Financial Life Insurance Company as a result of the death of the minor's  
2 father, Michael McDaniels.

3 DATED this 10<sup>th</sup> day of January, 2011.  
4

5  
6   
7 DISTRICT COURT JUDGE 

8 Submitted by:

9 PRINCE & KEATING

10 By:  for (11445)  
11 DENNIS M. PRINCE  
12 Nevada Bar No.: 5092  
13 3230 S Buffalo Drive  
14 Suite 108  
15 Las Vegas, Nevada 89117  
16 Attorney for Petitioner  
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