

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ESTATE OF FERNANDO SAUCEDA, et al.,  
Plaintiff(s),  
v.  
CITY OF NORTH LAS VEGAS, et al.,  
Defendant(s).

Case No.: 2:11-cv-02116-GMN-NJK

**ORDER**

[Docket No. 174]

Pending before the Court is Plaintiffs’ renewed petition for compromise of minor’s claim. Docket No. 174. Defendants filed a notice of non-opposition. Docket No. 176. For the reasons discussed below, the hearing on the matter is **VACATED** and a supplement must be filed in accordance with the below directives.

The Ninth Circuit has established the standard by which settlement of federal claims brought by minors are judged: “whether the net amount distributed to each minor plaintiff in the settlement is fair and reasonable, in light of the facts of the case, the minor’s specific claim, and recovery in similar cases.” *Robidoux v. Rosengren*, 638 F.3d 1177, 1181-82 (9th Cir. 2011).<sup>1</sup> The petition here provides no information regarding “recovery in similar cases.”

<sup>1</sup> The Ninth Circuit has made clear that this limitation applies in federal question cases. *Robidoux*, 638 F.3d at 1179 n.2. District courts within the Ninth Circuit have concluded that federal law applies to the entirety of a request to approve a minor’s settlement in cases, like this one, in which the Court exercises federal question jurisdiction and supplemental jurisdiction over additional state law claims. See, e.g., *A.G.A. v. County of Riverside*, Case No. EDCV 19-00077-VAP (SPx), 2019 WL 2871160, at \*2 n.1 (C.D. Cal. Apr. 26, 2019) (collecting cases).

1           Accordingly, the parties must file a joint submission identifying recoveries obtained in  
2 other similar cases by April 27, 2020.

3           IT IS SO ORDERED.

4           Dated: April 13, 2020

5  
6   
7 \_\_\_\_\_  
8 Nancy J. Koppe  
9 United States Magistrate Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28