

1 **ORDR**  
 2 **BERNSTEIN AND POISSON**  
 3 CHRISTOPHER D. BURK, ESQ.  
 4 Nevada Bar No.: 8976  
 5 320 South Jones Blvd.  
 6 Las Vegas, Nevada 89107  
 7 (702) 256-4566  
 8 Attorneys for Petitioner

7 DISTRICT COURT

8 CLARK COUNTY, NEVADA

9 Michelle Brown, as mother and guardian  
 10 of minor Brittany Brown

CASE NO.: 2:13-cv-00635-VCF

11 Plaintiff,

12 vs.

13 Carex Health Products; Carex Health  
 14 Products, Inc. and The Original  
 15 BedBuddy, Wal Mart Stores, Inc. and  
 16 DOE Defendant Name for Bed Buddy  
 17 Manufacturer, and DOES 3 through 100;  
 18 And ROE CORPORATIONS 101  
 19 through 200

20 Defendant.

21 ORDER GRANTING PETITIONER'S MINOR COMPROMISE

22 Petitioner, above named, by and through their attorney of record,  
 23 CHRISTOPHER D. BURK ESQ., of the law offices of BERNSTEIN & POISSON,  
 24 having moved the Court for the approval of minor's claims pursuant to NRS  
 25 41.200 *et .seq.* ; the Court having considered the papers and petition herein; and  
 26 after being fully informed in the matter; and finding good cause; the Court  
 27 GRANTS said petition and ORDERS as follows:  
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1. Funds deposited in the blocked trust at FDIC approved Nevada Financial Institution shall not be liquidated or diminished prior to or after the minor reaching the age of eighteen (18) years without court approval upon showing that the withdrawal is in the best interests of the minor child.
2. Proof that the settlement funded by Apex Medical Corporation shall not be liquidated or diminished prior to or after the minor reaching the age of eighteen (18) years without court approval upon showing that the withdrawal is in the best interests of the minor child.
3. Authority to establish the blocked trust account for the benefit of the herein named minor is hereby given to the Petitioner and the law firm of Bernstein & Poisson, or its representative.
4. Petitioner and Bernstein & Poisson shall cause, within sixty (60) days of the date of this order, proof to be filed with this court that the blocked trust account has been established
5. A status check before this court is set for January 2, 2014 at the hour of 10:00 am 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 Bernstein & Poisson to attend this status check hearing.
6. IT IS FURTHER ORDERED that the trustee or petitioner may be ordered by this court to file periodic certified annual reports, should the court deem it appropriate, in order to detail the activities of the blocked trust account during the previous twelve (12) months pursuant to NRS 41.200(5).
7. IT IS FURTHER ORDERED that Petition, **Michelle Brown**, is hereby allowed to continue to serve as guardian ad litem for the minor child, without bond for the limited purpose of administering the funds of the minor child, as provided herein.
8. The medical specials are to be paid as follows:
  - a. **Mt. View Pediatrics**-\$0.00
  - b. **University Medical Center**-\$ 0.00
  - c. **Center Emergency Physicians** -\$ 0.00

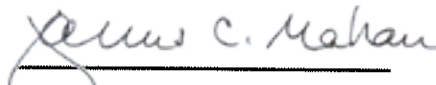
1 9. Attorney's fees are 40% by contract of the Settlement/Total Recovery  
2 Bernstein & Poisson; will receive \$7,000.00 in fees and costs of \$658.84  
3 from the settlement of \$ 17,500 to minor.

4 10. Medicaid holds a lien for \$135.73

5 Accordingly, THE COURT HEREBY GRANTS said petition, the deposit of  
6 the minor's settlement funds in the amount of \$9,705.43 into blocked financial  
7 account **BANK OF AMERICA, 5950 W. Sahara Avenue, Las Vegas, NV 89146.**  
8 **BANK OF AMERICA** is a FDIC approved bank in the State of Nevada. The  
9 Court finding said compromise to be in the best interest of said minors pursuant  
10 to NRS 41.200 *et. seq.*

11 Attorney Chris Burk, Esq. is authorized by this court to open the account  
12 and deposit the funds into the blocked account.

13 DATED October 21, 2013.

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15 \_\_\_\_\_  
16 UNITED STATES DISTRICT  
17 JUDGE

18 Prepared by:  
19 **BERNSTEIN AND POISSON**

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