

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RAFAEL RIVERA, Sr., MARIA RIVERA, individually and o/b/o minor K.R.; SAMUEL RAMOS, MONICA JADEJA RAMOS, individually and o/b/o minor T.R.; JOSE RIVERA, MIGDALIA RAMOS-RIVERA, individually and o/b/o minors "Jo.R." and "Ju. R." and RAFAEL RIVERA, Jr.,


**[PROPOSED] INFANT
COMPROMISE ORDER**

Plaintiffs,

14-cv-05148 (ARR)(PK)

-against-

CITY OF NEW YORK; Police Officer JAVIER APONTE, (Shield No. 11268); Police Officer Solmonsohn, (Tax No. 933374); Sgt. THOMAS, (Tax No. 926370); JOHN and JANE DOE POLICE OFFICERS #1 through 15, individually and in their official capacities (the names John and Jane Doe being fictitious, as the true names are presently unknown); Child Protective Specialist FRANCINE ALLMAN, and JOHN and JANE DOE ACS DEFENDANTS #1 through 15, individually and in their official capacities (the names John and Jane Doe being fictitious, as the true names are presently unknown);

Defendants.

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The Parties having agreed to the settlement of the causes of action in the above-captioned case for the total sum of SEVENTY-NINE THOUSAND FIVE HUNDRED DOLLARS (\$79,500), with claims of infant "T.R" and "Ju.R." to settled for the sum of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00) each, and it appearing that the best interests of the infants will be served by said settlement; and

It appearing that all prerequisites of N.Y.C.P.L.R § 1207 and 1208 have been met, for good cause having been shown to dispense with any particular requirement of New York State Law, pursuant to Local Civil Rule 83.2 of the United States District Court for the Eastern District of New York, now, on the motion of Katherine E. Smith, attorney for Plaintiff, it is hereby:

ORDERED, that MIGDALIA RAMOS, the mother and natural guardian of the infant plaintiff “Ju.R.”, be hereby authorized to enter into a settlement of the within action with CITY OF NEW YORK, in the sum of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00); and it is further

ORDERED, that MONICA JADEJA RAMOS, as mother and guardian of “T.R.” be hereby authorized to enter into a settlement of the within action with CITY OF NEW YORK, in the sum of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00); and it is further

ORDERED, that MARIA RIVERA, the grandmother and guardian of the infant plaintiff “K.R.”, be hereby authorized to voluntarily withdraw the infant plaintiff “K.R.” claims against the CITY DEFENDANTS, with prejudice; and it is further

ORDERED, that the claims brought by RAFAEL RIVERA, SR., RAFAEL RIVERA, JR., and MARIA RIVERA, are voluntarily withdraw by plaintiffs, with prejudice, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of Fifteen Thousand Dollars (\$15,000) to SAMUEL RAMOS, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of Fifteen Thousand Dollars (\$15,000) MONICA JADEJA RAMOS, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of Fifteen Thousand Dollars (\$15,000) JOSE RIVERA, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of and Fifteen Thousand Dollars (\$15,000) MIGDALIA RAMOS-RIVERA, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500) to JOSEPH RIVERA, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of FOUR THOUSAND ONE HUNDRED AND FORTY EIGHT AND EIGHTY SIX CENTS (\$4,148.86) to MIGDALLIA RAMOS, as mother and guardian of "Ju.R.", jointly, with an officer of **JP MORGAN CHASE BANK, 3380 Fulton Street, Brooklyn, New York 11208**, and shall be deposited in that bank in the name of the mother MIGDALLIA RAMOS, to the credit of and for the sole use and benefit of the infant plaintiff, "Ju.R.", subject to the further order of this Court, and that no withdrawals shall be made except upon the Order of this Court, and it is further

ORDERED that said depository is authorized and directed to maintain at least 100% of said funds in a form of deposit in said depository yielding the highest dividend return to the infant "Ju.R." at all times that the funds are deposited provided that said funds shall not be in such form that it will not be available to said infant "Ju.R." when he attains the age of eighteen (18), and it is further

ORDERED that the JP MORGAN CHASE BANK is hereby directed, upon the infant "Ju.R." demand, and without further order of this Court, to pay over to "Ju.R." when he reaches the age of eighteen (18) years, all monies held by it in the account, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay the sum of FOUR THOUSAND ONE HUNDRED AND FORTY EIGHT AND EIGHTY SIX CENTS (\$4,148.86) to MONICA JADEJA RAMOS, as mother and guardian of "T.R.", jointly, with an officer of **JP MORGAN CHASE BANK, 22-45 31 Street Astoria, New York 11105**, and shall be deposited

in that bank in the name of the mother MONICA JADEJA RAMOS, to the credit of and for the sole use and benefit of the infant plaintiff, "T.R.", subject to the further order of this Court, and that no withdrawals shall be made except upon the Order of this Court, and it is further

ORDERED that said depository is authorized and directed to maintain at least 100% of said funds in a form of deposit in said depository yielding the highest dividend return to the infant "T.R." at all times that the funds are deposited provided that said funds shall not be in such form that it will not be available to said infant "T.R." when he attains the age of eighteen (18), and it is further

ORDERED that the JP MORGAN CHASE BANK is hereby directed, upon the infant "T.R." demand, and without further order of this Court, to pay over to "T.R." when he reaches the age of eighteen (18) years, all monies held by it in the account, and it is further

ORDERED, that the filing of a bond be dispensed with in accordance with New York State C.P.L.R. § 1210(c), and it is further

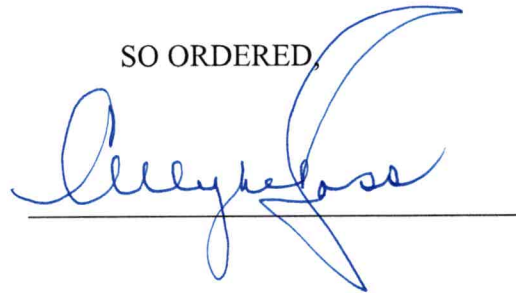
ORDERED, that NEW YORK CITY is hereby directed to pay Katherine E. Smith the sum of FIVE HUNDRED AND FIFTY THREE DOLLARS AND FORTY-TWO CENTS (\$553.42) for minor "Ju.R." and "T.R." combined pro rata share of Disbursements to the Law Office of Katherine E. Smith, and it is further

ORDERED, that NEW YORK CITY is hereby directed to pay Katherine E. Smith the sum of FOUR THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS AND EIGHTY-SIX CENTS (\$4148.86) for minor "T.R." and "Ju.R." combined attorneys' fees, and it is further

ORDERED, that conditioned upon compliance with the terms of this Order, Defendants shall be discharged and released from all liability arising from all matter and things contained in this Order in accordance with and pursuant to Settlement thereof, and it is further

ORDERED, that conditioned upon compliance with the terms and conditions herein, that MIGDALLIA RAMOS o/b/o "Ju.R.", MONICA JADEJA RAMOS o/b/o "T.R.", and MARIA RIVERA o/b/o "K.R." are hereby authorized to execute and deliver General Releases and such other papers as may be necessary to effectuate the settlement under the terms and conditions set forth herein.

SO ORDERED,



A handwritten signature in blue ink is written over a horizontal line. The signature is cursive and appears to read "Ally Rose".