

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

THE PRUDENTIAL LIFE	:	CIVIL ACTION NO. 1:16-CV-1745
INSURANCE COMPANY OF	:	
AMERICA,	:	(Chief Judge Conner)
	:	
Plaintiff	:	
	:	
v.	:	
	:	
KRISTOPHER PERKINS, TARA	:	
PERKINS, C.P., a minor, KRYSTINA	:	
PERKINS, and ANTONETTA HARRIS,	:	
in her capacity as temporary guardian	:	
of C.P., a minor,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 18h day of January, 2017, upon consideration of the motion (Doc. 13) filed by plaintiff, the Prudential Life Insurance Company of America (“Prudential”), for entry of a consent judgment regarding settlements on behalf of defendants Kristopher Perkins, Tara Perkins, Krystina Perkins, minor defendant C.P., and Antonetta Harris, in her capacity as temporary guardian of C.P., and the court observing that federal courts follow the procedures in place in state court in determining whether to approve a minor’s settlement, see Nice v. Centennial Area Sch. Dist., 98 F. Supp. 2d 665, 669-70 (E.D. Pa. 2000), and that minor defendant C.P.’s portion of the settlement will be held by Mekonnen Tekle (“Tekle”) pursuant to the Virginia Uniform Transfers to Minors Act, VA. CODE ANN. § 64.2-1911, and that, under Virginia law, “the court in which the matter is pending shall have the power to approve and confirm” settlements for minor parties if the settlement “is deemed to be to the interest of the party,” id. § 8.01-424(a), (e), and the court further

observing that each adult party agrees to the terms of the settlement, (Doc. 13-1 at 8-12), and that minor defendant C.P.'s court-appointed guardian *ad litem* believes the settlement to be in the minor defendant C.P.'s best interest, (*id.* ¶ 27), and the court concluding that the settlement represents a reasonable resolution of the parties' dispute, advancing the best interests of minor defendant C.P., it is hereby ORDERED that:

1. Prudential's motion (Doc. 13) for entry of a consent judgment is GRANTED.
2. Within 21 days of today's date, Prudential shall pay to Kristopher Perkins, Tara Perkins, and Krystina Perkins their respective shares of the death benefit and the premium refund, together with their shares of the accrued claim interest on the death benefit.
3. Within 21 days of today's date and upon Prudential's receipt of an acknowledgement that Tekle agrees to hold C.P.'s portion of the benefit in accordance with the Virginia Uniform Transfers to Minors Act, Prudential shall pay to Tekle minor defendant C.P.'s share of the death benefit and the premium refund, together with minor defendant C.P.'s share of the accrued claim interest on the death benefit.
4. C.P.'s guardian *ad litem* may fully bind C.P.'s interest in this action.
5. Upon entry of this order, Kristopher Perkins, Tara Perkins, Krystina Perkins, and minor defendant C.P. are enjoined from bringing additional claims regarding the instant death benefit against Prudential.
6. The Clerk of Court is directed to CLOSE this case, without prejudice, upon good cause shown within 60 days, to reinstate the action if settlement is not consummated.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania