

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JASON LEASURE, et al.,

Plaintiffs,

V.

**WESTMARK HOTELS, INC., et al.,**

## Defendants.

C16-1197 TSZ

## ORDER

The parties' stipulated motion to approve minor settlement, docket no. 26, is

GRANTED. The Court finds that minor M.L. is represented by independent counsel and dispenses with the appointment of a guardian ad litem in this matter because the minor's parents, who are also plaintiffs in this matter and are represented by the same attorney as the minor, have waived any right to the settlement proceeds. See Local Civil Rule 17(b); see also Wash. SPR 98.16W(c)(2). The gross settlement amount of cash and future periodic payments with a present cash value of \$45,000 is APPROVED as reasonable in light of the strength of plaintiffs' case, the risk, expense, and likely duration of further litigation, the nature of minor M.L.'s injuries, treatment to date, and prognosis, and the current stage of the litigation, and as in the best interests of the child.

1       From the gross settlement amount, \$24,807.06 in attorney's fees and costs shall be  
2 disbursed to plaintiffs' counsel, and the remaining \$20,192.94 shall be invested in an  
3 annuity purchased from and/or guaranteed by USAA Life Insurance Company, with  
4 assignment of the payment obligation to USAA Annuity Services Corporation, such that  
5 a guaranteed lump sum of \$33,677.03 shall be paid to M.L. upon reaching the age of 25.<sup>1</sup>

6       Plaintiffs' counsel having telephonically advised the Court that no other issue  
7 remains for the Court's determination,

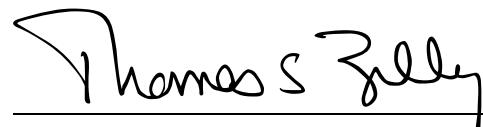
8       NOW, THEREFORE, IT IS ORDERED that this case is DISMISSED with  
9 prejudice and without costs.

10       In the event settlement is not perfected, any party may move to reopen and trial  
11 will be scheduled, provided such motion is filed within 60 days of the date of this Order.

12       The Clerk is directed to send a copy of this Order to all counsel of record.

13       IT IS SO ORDERED.

14       Dated this 13th day of October, 2017.



15  
16       Thomas S. Zilly  
17       United States District Judge  
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20       <sup>1</sup> Exhibit A to the Declaration of Edward H. Moore, which was filed in this matter once in redacted form,  
21 docket no. 20-1, but twice in unredacted form, docket nos. 18-1 and 26-1, indicates the date on which  
22 M.L. will turn 25, from which the minor's date of birth can be easily computed. The Court has therefore  
sealed the unredacted versions pursuant to Local Civil Rule 5.2(a)(1). The parties are advised that,  
between the filing of the unredacted materials and their subsequent sealing, the documents might have  
been uploaded by private websites unrelated to and outside the control of the Court, and might now be  
available to the public for a fee. See, e.g., www.pacermonitor.com; www.law360.com.