

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TROY BOISVERT and SHANNON BOISVERT,
Individually, and as Parents and Next Friends of
B.B., Minor,

Plaintiffs,

ORDER

No. 14-cv-14-wmc

v.

LENNOX HEALTH PRODUCTS, LLC,

Defendant.

A hearing was held on plaintiffs' petition for appointment and consent to act as guardian ad litem (dkt. #36) and petition for approval of minor settlement and distribution of proceeds pursuant to Wis. Stat. § 807.10 (dkt. #37). Plaintiffs Shannon and Troy Boisvert appeared personally and by counsel Attorneys Robert Gingras and Frank Tampley. Defendant Innovative Hearth Products, LLC appeared by counsel Attorney Thomas Gonzalez.

For reasons set forth in the March 18, 2015, telephonic conference with plaintiffs' counsel, at today's hearing, and in the supplementary materials filed with the court (dkt. ##38, 39), the court issues the following order.

ORDER

IT IS ORDERED that:

- 1) Plaintiffs' petition for appointment and consent to act as guardian ad litem (dkt. #36) is GRANTED. Attorney Robert J. Gingras is appointed as B.B.'s

guardian ad litem for purposes of settlement under Wis. Stat. §§ 803.01(3) and 807.10.

- 2) Plaintiffs' petition for approval of minor settlement and distribution of proceeds pursuant to Wis. Stat. § 807.10 (dkt. #37) is GRANTED subject to the following conditions:
 - a. The proposed distribution of proceeds is modified as set forth in the addendum to the settlement agreement.
 - b. The attorney fee award shall be 33% of the present value of settlement.
 - c. Any settlement amount that may remain after deduction for the approved attorney's fees, litigation expenses, cost of annuity, and reimbursement to Troy and Shannon Boisvert set forth in the addendum, and for discharge of the subrogated party's interest, shall revert to Troy and Shannon Boisvert as legal guardians and natural parents of B.B.
- 3) Guardian Ad Litem Attorney Robert Gingras shall retain in his file a copy of the confidential settlement agreement and addendum until August 9, 2028.
- 4) Plaintiffs' motion to seal documents (dkt. #40) is GRANTED.
- 5) The clerk of court is directed to close this case subject to reopening for good cause shown.

Entered this 20th day of March, 2015.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge