

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RUSSELL H. DAWSON, Personal  
Representative of the Estate of Damaris  
Rodriguez,

Plaintiff,

vs.

NAPHCARE, INC., et al.,

Defendants.

NO. 2:19-cv-01987-RSM

ORDER GRANTING JOINT PETITION  
TO APPROVE NAPHCARE  
SETTLEMENT

The parties agreed in principle to a settlement whereby all of Plaintiff's claims against all remaining Defendants will be dismissed pursuant to the terms of a mutually confidential agreement, which was appended to the report of settlement guardian ad litem Jennifer White.

Attorney Jennifer L. White was appointed as settlement guardian ad litem for minor beneficiaries A.G., I.G., S.G., and D.G. Dkt. 167. Ms. White's report is filed under seal at Dkt. 246. Ms. White's report approves of the proposed settlement, approves of the allocation of the proceeds between the decedents' first tier beneficiaries (Reynaldo Gil, Jose Marte, A.G., I.G., S.G., and D.G.), and proposed that the minors' proceeds be deposited in professionally managed trusts for each minor beneficiary, which are already set up. Ms. White's report also considers and approves Plaintiff's counsel's attorneys' fees and requests for reimbursement of advanced costs and the Personal Representative's fees and costs.

ORDER GRANTING JOINT PETITION TO  
APPROVE NAPHCARE SETTLEMENT - 1  
2:19-cv-01987-RSM

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Seattle, Washington 98102  
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The Court hereby ORDERS:

1. The Joint Petition to Approve NaphCare Settlement, Dkt. #247, is GRANTED.
2. Pursuant to LCR 17 and SPR 98.16W, the proposed settlement agreement is approved.
3. Russell Dawson, the personal representative of the estate, is authorized to execute the settlement agreement as set forth in the Petition and SGAL report.
4. The Court approves the allocation of the proceeds as set forth in the Petition and SGAL report.
5. The Court orders that the minors' allocated shares be held in the court supervised trusts, which have already been set up, pursuant to SPR 98.16W.
6. Plaintiff's counsel shall maintain the portion of the payment allocated to the minors in the Krutch Lindell Bingham Jones, P.S. IOLTA until they are disbursed into their respective court approved trusts.
7. Plaintiff's counsel shall, within 30 days, file a supplemental SGAL report, under seal, verifying that the minors' allocated shares have been deposited into the trusts, as evidence that the Court's order regarding the minors' funds has been carried out.
8. Plaintiff's counsel's attorneys' fees and costs as set forth in Ms. White's report are reasonable and approved. Plaintiff's counsel is authorized to receive said approved fees and costs upon receipt of the payment from the Defendants, which gross payment shall be placed into the Krutch Lindell Bingham Jones, P.S. IOLTA.
9. Ms. White's fees to date are approved. Pursuant to the settlement agreement, \$1,470.00 shall be paid by Plaintiff and \$7,560.00 shall be paid by Defendants.
10. The parties shall file a stipulation dismissing this matter upon completion of the requirements above.

1 11. The settlement guardian ad litem is discharged upon completion of the  
2 requirements stated above.  
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6 DATED this 28<sup>th</sup> day of February, 2022.  
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10 RICARDO S. MARTINEZ  
11 CHIEF UNITED STATES DISTRICT JUDGE  
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18 Presented by:  
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20 KRUTCH LINDELL BINGHAM JONES, P.S.

21 By: /s/ J. Nathan Bingham  
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