

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

Plaintiffs,)

-vs-

Case No. T-5430

Individually and
as KANSAS COMMISSIONER OF EDUCATION,
KANSAS STATE BOARD OF EDUCATION,

Defendants.)

FILED

DEC 15 1978

ORDER OF DISMISSAL

Now on this 15th day of December, 1978, this matter comes

claim filed herein, the statements and representations of counsel, the evidence adduced herein, the contents of the file herein, the responses of the Plaintiff

and Next _____, and being otherwise well and duly advised in the premises, makes and renders the following findings, rulings, and orders:

1. This Court has jurisdiction of the parties and the subject matter herein.
2. The Plaintiff _____ is a minor aged 15 and prosecutes this action by _____ and Next Friend.
3. The sum of \$19,500.00 is a fair, adequate, and reasonable settlement of this case under all the circumstances relevant hereto.
4. Both the minor Plaintiff and her said Guardian fully

Thereupon the Court is given to understand that the parties hereto propose that this matter be compromised and settled with Plaintiff by payment unto Plaintiff of the sum of \$19,500.00 together with the costs of this action.

Thereupon the Court is respectfully requested to approve said proposed settlement.

Thereupon the Court makes inquiry of counsel, Plaintiff, and the said _____ and Next Friend of Plaintiff herein. The Court inquires into the sufficiency and adequacy of the settlement, whether or not Plaintiff and her said Guardian clearly understand that such settlement, if approved, will be final and binding upon Plaintiff, and whether or not Plaintiff and her said Guardian clearly understand that upon approval of such settlement Plaintiff will be unable to sue upon said issues ever again.

Thereupon the Court, having considered the nature of the

understand the nature and consequences of the proposed settlement and the nature and consequences of the approval of said settlement by this Court.

5. The Court finds that it is in the best interests of the minor Plaintiff for said proposed settlement to be approved, and it is the Order of the Court that said settlement should be and the same hereby is approved.

6. The parties and counsel are enjoined from divulging the nature and amount of the settlement herein. ;

7. Pursuant to K.S.A. 59-3001

and Next Friend of the minor Plaintiff

is directed to open and administer upon an estate for the minor Plaintiff the District Court of Shawnee County, Kansas, Probate Division, with the net proceeds unto Plaintiff from the settlement figure herein.

on before the Court for hearing, approval of final settlement, and dismissal on the merits with prejudice.

Plaintiff

appears in person, by
and Next Friend, and by
, her attorney. Defendants

appear as follows:

8. Statutory attorney's fees are waived.

9. The costs of this action should be assessed to the Defendant.

IT IS THEREFORE BY THE COURT CONSIDERED, ORDERED, ADJUDGED, AND DECREED, THAT EACH OF THE ABOVE-STATED FINDINGS AND RULINGS SHOULD BE AND BECOME THE ORDER OF THIS COURT, THAT THE SAID PROPOSED SETTLEMENT IN THE AMOUNT OF \$19,500.00 PLUS COSTS IS HEREBY APPROVED AS FAIR AND REASONABLE AND IN THE BEST INTERESTS OF THE MINOR PLAINTIFF, THAT COSTS SHOULD BE TAXED TO THE DEFENDANTS, AND THAT THIS MATTER SHOULD BE AND THE SAME HEREBY IS DISMISSED, WITH PREJUDICE.

IT IS BY THE COURT SO ORDERED.

Senior Judge, Assigned