

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**RABECAH MOESER, Individually and  
As Mother and Next Friend of Hannah  
Moeser and Halee Moeser, Minors,**

**Plaintiffs,**

**v.  
DRH-DGW**

**Cause No.: 3:12-CV-01278-**

**MICHAEL C. PATRICK,  
And  
LAND AIR EXPRESS, INC.,**

**Defendants.**

**ORDER SUSTAINING AUTHORITY  
TO SETTLE MINORS' CLAIMS**

Now comes Rabeccah Moeser, the duly appointed, qualified and acting mother and next friend of Hannah Moeser and Halee Moeser, minors, on the petition for authority to settle claims against certain parties, and, said next friend appearing in person, and the Court having seen, read and fully considered said petition, being fully advised in the premises, and having heard the testimony offered and adduced on behalf of said minors' claims an alleged cause of action against defendants Michael C. Patrick and Land Air Express, Inc. and the testimony offered and adduced as to the personal injuries sustained or to be sustained by said minors in or as a result of the accident, does find that said petition for authority to settle claims should be sustained, and that it is and will be in the best interest of said minors to accept the sum of \$5,000.00 each in settlement and

discharge all claims, demands, damages, accrued or accruing, which said minors or the aforesaid next friend has, or otherwise might have hereafter against defendants Michael C. Patrick and Land Air Express, Inc. on account of the aforesaid accident, or on account of any personal injuries sustained or to be sustained by said minors as a result thereof, or on account of any matter or thing connected therewith or flowing there from.

The Court further finds that Rabeccah Moeser, mother and next friend of minors Hannah Moeser and Halee Moeser, is authorized and ordered to execute the Release on behalf of said minors. The Court finds that the Release is given in good faith and in accordance with the Illinois Joint Tortfeasor Contribution Act, 740 ILCS 100/2.

The Court further finds that next friend has incurred medical expenses, out of pocket expenses and loss of services and that said sums were reasonably and necessarily incurred on behalf of minors, Hannah Moeser and Halee Moeser. The Court also finds that attorney's fees are \$3,333.33.

**IT IS, THEREFORE, ORDERED, CONSIDERED AND ADJUDGED  
BY THE COURT:**

- A. Said settlement being found just, reasonable, in good faith and in best interest of the minors, the Court authorizes Rabeccah Moeser, Next Friend of Hannah Moeser and Halee Moeser, minors, to settle finally and forever, for the sum of \$5,000.00 to each minor, said minors' claims and cause of action against Defendants Michael C. Patrick and Land Air Express, Inc. on account of the aforesaid accident of December 7, 2010, and on account of any injuries resulting or to result there from.

- B. That next friend be, and hereby is, authorized, directed and ordered to execute and deliver to said defendants, and all persons firms, associations and corporations on behalf of defendants Michael C. Patrick and Land Air Express, Inc. a full release, fully releasing said defendants from all further liability, demands or actions, whether known or unknown, accrued or accruing, on account of the aforesaid accident or on account of any other matter related thereto.
- C. That the attorney fees of \$3,333.33 be paid from the settlement proceeds to Jeffrey Kopsis as the minors' attorney.
- D. That Rabeccah Moeser, as next friend for Hannah Moeser and Halee Moeser, minors, acknowledges, executes and files a satisfaction of judgment.
- E. That each party shall bear its own costs.
- F. That this cause of action be dismissed with prejudice against Defendants Michael C. Patrick and Land Air Express, Inc at the close of the case as Rabeccah Moeser's claims are pending.

DATE: April 17, 2013

 Digitally signed by  
David R. Herndon  
Date: 2013.04.17  
12:14:10 -05'00'  
**Chief Judge**  
**United States District Court**