

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMF, a minor by his Next Friend MOHSEN
FRANK FAYZ, and MOHSEN FAYZ,
individually,

Plaintiffs,

-vs-

SEARS ROEBUCK & COMPANY,

Defendant.

Case No. 2:05CV73448

Hon. Paul Borman

Magistrate Judge Capel

Patricia L. Worrall (P62984)
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**ORDER (1) APPROVING SETTLEMENT AND DISTRIBUTION OF SETTLEMENT
PROCEEDS AND (2) DISMISSING CASE WITH PREJUDICE AND WITHOUT COSTS**

At a session of said Court, held in the U.S. District Court,
Detroit, Michigan, on this 9-24-07

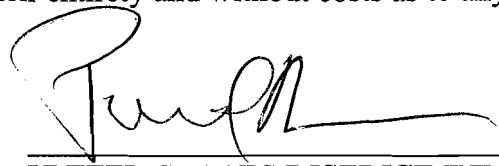
PRESENT: HON. PAUL D. BORMAN

U. S. District Judge

The parties to this case, by and through their respective counsel of record, having stipulated to the entry of this order; plaintiff Mohsen Fayz being the next friend and father of minor plaintiff A.M.F. and being duly authorized to act for the benefit of and on behalf of the minor plaintiff

A.M.F.; plaintiff having agreed to the terms of a Settlement Agreement and Release, dated September 24, 2007; plaintiff having filed his motion to approve and distribute settlement proceeds for minor-plaintiff; the parties, through their respective counsel of record, having appeared in open Court for hearing on said motion on September 24, 2007; proofs and testimony having been taken at said September 24, 2007 hearing; the Court having heard such proofs and testimony and having found that the settlement of this case and the entry of this order upon the terms and conditions set forth herein and in the September 24, 2007 Settlement Agreement and Release to be in the best interests and to the advantage of the plaintiff minor; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED AND ADJUDGED that: (1) plaintiff Mohsen Fayz is the next friend and father of minor plaintiff A.M.F. and is duly authorized to act for the benefit of and on behalf of the minor plaintiff A.M.F.; (2) the settlement of this case upon the terms and conditions set forth in the September 24, 2007 Settlement Agreement and Release is and will be for the best interests and to the advantage the minor plaintiff A.M.F.; (3) distribution of the proceeds from the settlement as requested in plaintiff's motion be and the same hereby is approved; (4) inasmuch as Defendant Sears, Roebuck and Co. denies liability, the settlement of this case and the entry of this Order is not and shall not be construed as an admission of liability on the part of Defendant Sears, Roebuck and Co.; and (5) plaintiff's complaint and claims be and the same hereby are dismissed with prejudice in their entirety and without costs as to any party.



UNITED STATES DISTRICT JUDGE

Stipulated:

THE THURSWELL LAW FIRM, P.L.L.C.

By:  P65098

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DATED: September 24, 2007

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