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CODE:OTS

STATE OF MICHIGAN PROBATE COURT KALAMAZOO COUNTY	**ORDER GRANTING PETITION FOR LEAVE TO SETTLE CLAIM AND DISTRIBUTE PROCEEDS**	FILE NO: *PAGE ONE*

In the matter of the Estate of: ******* ATTACHMENT # 5 *******, Deceased

Date: _____ Judge:_____

1. _____, Personal Representative of the estate, has filed a petition for leave to settle a cause of action for wrongful death and to distribute the proceeds.

2. The petition is submitted for court determination and order:

   [ ] After a hearing.

   [ ] By verified stipulation or agreement in writing.

3. THE COURT FINDS THAT:

   a. Notice has been served in a manner required by statute and/or court rule on the persons entitled to notice.

   b. The settlement proposed in the petition of the Personal Representative is just, fair, and reasonable, and that it is in the best interest of the estate and the persons entitled to damages that the settlement be approved.

   c. Attorney fees and costs should be paid from the settlement proceeds as requested by the petitioner and the medical, hospital, funeral, and burial expenses should be or have been paid from the settlement proceeds requested by the petitioner.

   d. [ ] There was no conscious pain and suffering.

      [ ] There was conscious pain and suffering.

   e. The remainder should be distributed as hereinafter ordered, the court finding that the distribution is fair and equitable considering the relative damages sustained by:

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3.e. Continued

[ ] Each of the persons.

[ ] The estate of the deceased.

[ ] None of the persons entitled to the proceeds is a minor, disappeared person or legally incapacitated, and all of the persons entitled to proceeds have consented to distribution of proceeds by executing a verified stipulation or agreement in writing in which the portion of the proceeds to be distributed to each of the persons is specified.

4. IT IS ORDERED THAT:

a. The Personal Representative of the estate be and is hereby authorized to settle and compromise all Claims arising out of the death of the deceased against _____

by reason of _____

on the following terms:

b. The Personal Representative, upon receipt of the settlement, consideration, is authorized to execute and deliver releases in settlement of all liability to the estate and to persons entitled to damages under the statute (MCL 600.2922(3)).

c. The Personal Representative distribute the settlement proceeds as follows:

4.c. Continued

Amount	**Purpose**	**Payee**
$	Attorney Fees and Costs	
$	Funeral	
$	Medical	
$	Hospital	
$	Burial	
$	Compensation for Pain & Suffering	

And damages to the following:

Amount	**Payee**
$	
$	
$	
$	

Date

Attorney name Bar no. Judge of Probate

Address

City, state, zip Telephone no.

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