



- Judge Spence also requested that the parties note the amount paid for property damage in the proposed order.
- Judge Spence asked the parties if notice of the settlement had been afforded to all statutory beneficiaries and interested parties; counsel for Plaintiff answered in the affirmative.
- The proposed settlement is as follows:
  - o The Defendant, \_\_\_\_\_, has offered to pay \_\_\_\_\_ dollars (\$\_\_\_\_\_) in bodily injury and \_\_\_\_\_ dollars (\$\_\_\_\_\_) in property damage, which is being paid out of \_\_\_\_\_.
  - o \_\_\_\_\_ has offered to pay \_\_\_\_\_ dollars (\$\_\_\_\_\_) in bodily injury and \_\_\_\_\_ dollars (\$\_\_\_\_\_) in property damage, to be paid out of underinsured motorist \_\_\_\_\_.
  - o \_\_\_\_\_ has offered to pay the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) in bodily injury and \_\_\_\_\_ dollars (\$\_\_\_\_\_) in property damage, to be paid out of excess underinsured motorist Policy No. \_\_\_\_\_, issued to \_\_\_\_\_ and providing coverage to \_\_\_\_\_, in exchange for a policy release.
  - o Of the combined settlement offers of \_\_\_\_\_ dollars (\$\_\_\_\_\_), the parties have offered to pay \_\_\_\_\_ (\$\_\_\_\_\_) to the Plaintiff for the benefit of the estate in a full and final settlement of any and all claims which the Estate might have under the survival statute; this amount includes \_\_\_\_\_ dollars (\$\_\_\_\_\_) in payment of Decedent's property damage claim. In addition, the parties have offered to pay the remaining sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) for the benefit of the statutory beneficiaries, in full and final settlement of any and all claims which the statutory beneficiaries might have under the wrongful death statute or otherwise.
- Counsel for Plaintiff represented that there are no debts against the Estate and Plaintiff \_\_\_\_\_ is its sole beneficiary pursuant to Decedent's will.
- The statutory beneficiaries of the wrongful death cause of action are \_\_\_\_\_, of the Decedent. These parties were notified of the hearing.
- At the conclusion of the hearing, Judge Spence approved the settlement as outlined in the Petition and requested that the Petition and proposed Order (including the requested addition) be e-filed with the Clerk of Court.