

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jose Javier Valle Hernandez v. United States of America

Valle Hernandez v. United States · No. 1:23-cv-00835-SKO · Decided September 19, 2025

SUMMARY

The United States District Court for the Eastern District of California granted an unopposed renewed petition approving a \$35,000 settlement arising from a motor vehicle collision involving the United States Postal Service and two minor plaintiffs. The order approved the allocation of settlement proceeds, attorney’s fees, litigation costs, medical liens, and the amounts to be held for the minors’ benefit. The court also vacated the scheduled October 8, 2025 hearing.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 19, 2025
DOCKET	1:23-cv-00835-SKO
DISPOSITION	approved
PROCEDURAL POSTURE	Plaintiffs filed a renewed, unopposed petition for approval of a settlement involving two minor plaintiffs in an action under the Federal Tort Claims Act.
STANDARD OF REVIEW	The district court must independently inquire into whether a proposed settlement serves the best interests of each minor and must determine whether each minor's net recovery is fair and reasonable in light of the facts, the minor's specific claim, and recoveries in similar cases.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- guardianship procedure
- personal injury
- damages
- attorney fees
- civil procedure

PRACTICE AREAS

- civil procedure
- Federal Tort Claims Act
- minor settlement approval
- personal injury
- attorney fees

QUESTIONS PRESENTED

1. Whether the proposed settlement of the minor plaintiffs' personal-injury claims should be approved under Federal Rule of Civil Procedure 17(c) and Eastern District of California Local Rule 202.
2. Whether the proposed attorney's fees, litigation costs, and medical-lien deductions associated with the minors' recoveries were reasonable and adequately protected the minors' interests.

HOLDINGS

1. A district court must independently determine whether a settlement serves the best interests of each minor, including whether each minor's net recovery is fair and reasonable in light of the minor's specific claim, the facts of the case, and recoveries in similar cases. Applying that standard, the court found the proposed settlement fair and reasonable and granted the petition.
2. The requested attorney's fees and litigation costs associated with the minors' settlements were reasonable and could be deducted from the settlement proceeds as specified in the order.

KEY QUOTATIONS

“requires only that the district court consider whether the net recovery of each minor plaintiff is fair and reasonable, without regard to the amount received by adult co-plaintiffs and what they have agreed to pay plaintiffs’ counsel” (at 1181–82)

“The residual amounts of \$1,356.58 for E.P.V.A. and \$2,417.00 for E.S.V.A. shall be paid to Jose Javier Valle Hernandez to be held for and used for the sole benefit of E.P.V.A. and E.S.V.A.” (conclusion)

FACTUAL BACKGROUND

On March 3, 2021, a United States Postal Service vehicle operated by Derek Chase Clower collided with the vehicle driven by Jose Javier Valle Hernandez in Visalia, California. The minor plaintiffs, E.P.V.A. and E.S.V.A., were passengers and sustained injuries requiring emergency evaluation and follow-up treatment, including chiropractic care, psychotherapy, imaging, and neurological evaluations. Liability and causation were disputed, but both minors had fully recovered by February 12, 2025. The parties agreed to settle all three plaintiffs' claims for \$35,000, with specified deductions for fees, costs, and medical liens.

PROCEDURAL HISTORY

Jose Javier Valle Hernandez, individually and as guardian ad litem for his minor children, filed an FTCA action arising from a motor-vehicle collision with a United States Postal Service vehicle. The parties reached a \$35,000 settlement covering the claims of the adult plaintiff and both minor plaintiffs. After deficiencies identified in prior orders were addressed, the court considered the renewed petition without oral argument and approved the settlement, vacating the scheduled hearing.

DISPOSITION

approved

CASES CITED

- Robidoux v. Rosengren, 638 F.3d 1177, 1181–82 (9th Cir. 2011)
- Dacanay v. Mendoza, 573 F.2d 1075, 1080 (9th Cir. 1978)
- Rivett v. United States, No. 2:21-cv-00717-DAD-AC, 2023 WL 4238909, at *2 (E.D. Cal. June 28, 2023)
- Salmeron v. United States, 724 F.2d 1357, 1363 (9th Cir. 1983)
- Collins v. United States, No. 2:20-CV-2458 JAM-DMC, 2022 WL 3969552, at *1–4 (E.D. Cal. Aug. 31, 2022)
- De La Cruz v. United States Postal Service, No. 1:08cv0018 OWW DLB, 2010 WL 319670, at *1, *3 (E.D. Cal. Jan. 20, 2010), report and recommendation adopted, 2010 WL 624432 (E.D. Cal. Feb. 17, 2010)

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