

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Sharron Harville; A.C., a minor, by and through her guardian ad
litem Dametrious Harville; and A.P., a minor, by and through his
guardian ad litem Dametrious Harville v. 7-Eleven, Inc., et al.

Harville · No. 3:25-cv-01265-TWR-MSB · Decided December 12, 2025

SUMMARY

This Report and Recommendation addresses petitions to approve settlements of the disputed claims of two minor plaintiffs against 7-Eleven, Inc. arising from alleged racial slurs and emotional distress. The magistrate judge recommends approving the minors’ compromises, the placement of their net proceeds in blocked accounts until they reach adulthood, and the proposed 25% contingency fees. The recommendation was issued to the district judge under 28 U.S.C. § 636(b)(1).

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Allison H. Goddard
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 12, 2025
DOCKET	3:25-cv-01265-TWR-MSB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs sought approval of compromises of the disputed claims of minor plaintiffs A.C. and A.P. The magistrate judge issued a Report and Recommendation recommending that the district judge grant both petitions.
STANDARD OF REVIEW	The court independently reviewed and evaluated the proposed compromises to determine whether they were fair, reasonable, and in the best interests of the minor claimants, including review of the settlement amounts, disbursement structure, attorney fees, and costs.
PRECEDENTIAL VALUE	Nonprecedential Report and Recommendation from a federal district court magistrate judge; final effect depended on adoption by the district judge.

PARTIES

Sharron Harville, A.C., a minor, by and through her guardian ad litem
Dametrious Harville, A.P., a minor, by and through his guardian ad litem
Dametrious Harville v. 7-Eleven, Inc., et al.

TOPICS

guardianship procedure

guardian ad litem

probate procedure

attorney fees

civil procedure

PRACTICE AREAS

minor's compromise

civil procedure

probate procedure

attorney fees

civil rights

QUESTIONS PRESENTED

1. Whether the proposed compromises of A.C.'s and A.P.'s disputed claims were fair, reasonable, and in the minors' best interests.
2. Whether placing each minor's net settlement proceeds in a blocked account subject to withdrawal only by court authorization was an appropriate method of disbursement.
3. Whether the proposed attorney fees, consisting of 25% of each minor's gross settlement, were reasonable and should be approved.

HOLDINGS

1. The proposed settlements for A.C. and A.P. were fair and reasonable and served their best interests under California law and the federal Robidoux standard; the magistrate judge therefore recommended granting both petitions.
2. Depositing each minor's net settlement proceeds into an insured blocked account, with withdrawals permitted only upon court authorization until the minor reaches majority, was fair, reasonable, and authorized by law.
3. The requested attorney fee of 25% of each minor's gross recovery was presumptively reasonable, and allocating all litigation costs to the adult plaintiff's settlement share further supported approval of the minors' settlements.

KEY QUOTATIONS

"In the context of proposed settlements in suits involving minor plaintiffs, this special duty requires a district court to 'conduct its own inquiry to determine whether the settlement serves the best interests of the minor.'"
(2)

"a court must independently investigate and evaluate any compromise or settlement of a minor's claims to assure itself that the minor's interests are protected, even if the settlement has been recommended or negotiated by the minor's parent or guardian ad litem." (2)

"in an insured account in a financial institution in this state ... subject to withdrawal only upon the authorization of the court[.]" (4)

FACTUAL BACKGROUND

On February 12, 2024, A.C. and A.P., who were then ten and seven years old, respectively, visited a 7-Eleven store with their mother. Plaintiffs alleged that a 7-Eleven employee falsely accused them of stealing, targeted them based on race and color, and directed racist and offensive slurs at the family, causing the minors significant emotional distress. The minors alleged no permanent physical injuries.

PROCEDURAL HISTORY

Plaintiffs filed California state-law claims in the Superior Court of California for San Diego County on February 21, 2025. After answering, Defendant removed the action to federal court on May 16, 2025. Following an Early Neutral Evaluation Conference, the parties reached a settlement, and the minor plaintiffs' guardian ad litem filed petitions for approval of their compromises. The magistrate judge reviewed the settlement terms, proposed disbursement method, and attorney-fee request and recommended approval.

DISPOSITION

other

REMAND INSTRUCTIONS

The magistrate judge recommended that the district judge adopt the Report and Recommendation and grant the petitions approving the compromises of A.C.'s and A.P.'s claims. Parties were permitted to file objections by December 26, 2025, with replies due January 2, 2026.

CASES CITED

- Robidoux v. Rosengren, 638 F.3d 1177, 1181
- Dacanay v. Mendoza, 573 F.2d 1075, 1080
- Salmeron v. United States, 724 F.2d 1357, 1363
- A.M.L., 2014 WL 12588992, at *3
- Goldberg v. Super. Ct., 28 Cal. Rptr. 2d 613, 614-15 (Cal. Ct. App. 1994)
- Peason v. Super. Ct., 136 Cal. Rptr. 3d 455, 459 (Cal. Ct. App. 2012)
- A.M.L. v. Cernaianu, No. LA-CV-12-6082-JAK-RZx, 2014 WL 12588992, at *3 (C.D. Cal. Apr. 1, 2024)
- J.T. v. Tehachapi Unified Sch. Dist., No. 1:16-cv-1492-DAD-JLT, 2019 WL 954783, at *2 (E.D. Cal. Feb. 26, 2019)
- Sutton v. Cal. Dep't of Parks, No. 5:23-cv-02057-BLF, 2025 WL 1745731, at *2-*3 (N.D. Cal. June 24, 2025)
- LawT v. Eleanor Murray Fallon Middle Sch., No. 24-cv-00110-TSH, 2025 WL 1616641, at *1-*3 (N.D. Cal. June 6, 2025)
- C.H. v. Brentwood Union Sch. Dist., No. 21-cv-00196, 2023 WL 2277124, at *1-*2 (N.D. Cal. Feb. 28, 2023)
- J.K. v. Gold Trail Union Sch. Dist., No. 2:20-cv-02388-MCE-AC, 2022 WL 3219492, at *1-*2 (E.D. Cal. July 8, 2022)

- *Walden v. Moffett*, No. CV-F-04-6680-LJO-DLB, 2007 U.S. Dist. LEXIS 70507, at *2-*3 (E.D. Cal. Sept. 20, 2007)
- *R.N. v. United States*, No. 3:17-cv-1583-L-BGS, 2019 WL 6724338, at *3 (S.D. Cal. Dec. 11, 2019)
- *L.P. v. Bella Mente Montessori Acad.*, 3:23-cv-01166-LL-AHG, 2023 WL 4908833, at *5 (S.D. Cal. Aug. 1, 2023)
- *Schwall v. Meadow Wood Apts.*, No. CIV-S-07-0014-LKK, 2008 WL 552432, at *1-*2 (E.D. Cal. Feb. 27, 2008)

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