

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

M.M., a minor, by and through his Guardian Ad Litem, Minhaj
Muneer v. SeaWorld Parks & Entertainment, Inc., et al.

Muneer · No. 24cv529-W (MSB) · Decided December 22, 2025

SUMMARY

The United States District Court for the Southern District of California recommends granting the parties’ joint motion to approve a minor’s compromise in a personal injury action arising from an incident at SeaWorld. The proposed settlement provides a gross recovery of \$15,000, with \$5,000 allocated to a medical lien and \$10,000 as the minor plaintiff’s net recovery; counsel waived attorney’s fees and costs. The court finds the settlement fair, reasonable, and in the minor’s best interests, and approves disbursement by a check payable to the minor’s guardian ad litem.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Michael S. Berg
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 22, 2025
DOCKET	24cv529-W (MSB)
DISPOSITION	remanded
PROCEDURAL POSTURE	Report and recommendation on the parties' joint motion for approval of a minor's compromise in a removed personal-injury action.
STANDARD OF REVIEW	The court independently reviewed the proposed compromise to determine whether it was fair, reasonable, and in the best interests of the minor, applying California law because the claims arose solely under California law.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- probate procedure
- personal injury
- premises liability
- civil procedure
- remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the proposed \$15,000 settlement of the minor's California negligence and premises-liability claims was fair, reasonable, and in the minor's best interests.
2. Whether the proposed payment and disbursement of the settlement funds complied with the California Probate Code.
3. Whether attorney's fees and costs required separate reasonableness review when minor Plaintiff's counsel waived them.

HOLDINGS

1. The proposed settlement was fair, reasonable, and in Minor Plaintiff's best interests and should be approved.
2. No separate reasonableness determination regarding attorney's fees and costs was required because Minor Plaintiff's counsel waived all fees and costs.
3. The settlement funds could be disbursed by a single \$15,000 check payable to Minhaj Muneer as guardian ad litem for Minor Plaintiff.

KEY QUOTATIONS

"No action by or on behalf of a minor . . . , or in which a minor . . . has an interest, will be settled, compromised, voluntarily discontinued, dismissed[,], or terminated without court order or judgment." (at 3)

"So long as the net recovery to each minor plaintiff is fair and reasonable in light of their claims and average recovery in similar cases." (at 4)

"The settlement is fair, reasonable, and in Minor Plaintiff's best interests." (at 7)

FACTUAL BACKGROUND

On December 26, 2021, Minor Plaintiff and his family were invitees at Sea World in San Diego, California. An unidentified patron allegedly fell onto Minor Plaintiff in a poorly lit and overcrowded area, causing a femur fracture that required hospital treatment, closed manipulation, casting, follow-up imaging, and rehabilitation. The fracture healed in good alignment, and counsel represented that Minor Plaintiff had no permanent injuries and was expected to do well. The settlement provided a gross recovery of \$15,000, reduced by a \$5,000 contractual lien, with counsel waiving attorney's fees and costs, resulting in a \$10,000 net recovery.

PROCEDURAL HISTORY

Minor Plaintiff filed California-law claims for negligence and premises liability in the Superior Court of California, County of San Diego, on December 21, 2023. Defendant removed the action to the Southern District of California on March 20, 2024. After the parties conditionally settled and the Court required supplemental briefing, the parties filed a joint motion seeking approval of a \$15,000 minor's compromise. The magistrate judge recommended that the district judge adopt the report and recommendation and grant the motion.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The magistrate judge recommended that the district judge adopt the Report and Recommendation and grant the Joint Motion for Approval of Minor's Compromise. Parties could file objections by January 6, 2026, with replies due by January 20, 2026.

CASES CITED

- Robidoux v. Rosengren, 638 F.3d 1177, 1179, 1181-82 (9th Cir. 2011)
- Dacanay v. Mendoza, 573 F.2d 1075, 1078, 1080 (9th Cir. 1978)
- Salmeron v. United States, 724 F.2d 1357, 1363 (9th Cir. 1984)
- DeRuyver v. Omni La Costa Resort & Spa, LLC, No. 17-cv-0516-H-AGS, 2020 WL 563551, at *2 (S.D. Cal. Feb. 4, 2020)
- J.T. v. Tehachapi Unified Sch. Dist., No. 16-cv-01492-DAD-JLT, 2019 WL 954783, at *2 (E.D. Cal. Feb. 27, 2019)
- A.M.L. v. Cernaianu, LA CV12-06082 JAK (RZx), 2014 WL 12588992, at *3 (C.D. Cal. Apr. 1, 2014)
- Anderson v. Latimer, 166 Cal. App. 3d 667, 676 (1985)
- Pearson v. Superior Ct., 202 Cal. App. 4th 1333, 1340 (2012)
- Goldberg v. Superior Ct., 23 Cal. App. 4th 1378
- T.P. v. United States, No. 10-cv-0295-AJB-RBB, 2011 U.S. Dist. LEXIS 110897, at *2-3, *6 (S.D. Cal. Sept. 28, 2011)
- J.D. v. Costco Wholesale Corp., No. 22-cv-1124-RBM-BLM, 2022 WL 17176833, at *1-2 (S.D. Cal. Nov. 22, 2022)
- Alsammarraie v. United States, No. 24-cv-2059-MMA-BLM, 2025 WL 855289, at *4 (S.D. Cal. Mar. 19, 2025)
- Castro v. United States, No. 19-cv-02240-AJB-JLB, 2022 WL 594545, at *4 (S.D. Cal. Feb. 28, 2022)
- K.A.K. v. Kohl's Dep't Stores, Inc., No. 19-cv-3276-RSWL-JPRx, 2021 WL 2376931, at *3 (C.D. Cal. Feb. 5, 2021)
- Motlagh v. Macy's Corp. Servs., Inc., No. 19-cv-00042-JLB, 2020 WL 7385836, at *5 (S.D. Cal. Dec. 16, 2020)
- M.M. v. United States, No. 14-cv-2854-BAS-NLS, 2015 WL 3417906 (S.D. Cal. May 1, 2015)
- Martinez v. Yist, 951 F.2d 1153, 1157 (9th Cir. 1991)