

SAMPLE INFANTS COMPROMISE ORDER (STRUCTURED SETTLEMENT)

Note: This is not an official form. It is provided for guidance purposes only.

At Part 18 of the Supreme Court of The State of New York, held in and for the County of Kings, at the Courthouse located at 360 Adams Street, County of Kings, City and State of New York, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

P R E S E N T: Honorable Gina Abadi  
Justice of the Supreme Court

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Index No:

\_\_\_\_\_( $\pi$ ), an Infant by their Parent and Natural Guardian, \_\_\_\_\_ (*parent*) and \_\_\_\_\_ (*parent*), Individually,

**Infants Compromise Order**

*Plaintiff(s),*

- *against* -

\_\_\_\_\_( $\Delta 1$ ), \_\_\_\_\_( $\Delta 2$ )

*Defendant(s).*

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Upon reading and filing the affidavit of *parent*, mother and natural guardian of the Infant-Plaintiff \_\_\_\_\_( $\pi$ ), duly sworn to on the \_\_\_\_ day of \_\_\_\_\_, 2022, the affirmation of \_\_\_\_\_, Esq., attorney for Plaintiffs, dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ and the affirmation of \_\_\_\_\_, M.D. , dated the \_\_\_\_ day \_\_\_\_\_, 20\_\_, and the exhibits attached hereto,

AND, it appearing that the Infant, \_\_\_\_\_( $\pi$ ) is now \_\_\_\_ years of age, having been born on \_\_\_\_\_, 20\_\_\_\_, and the Infant, the mother and natural guardian and the attorney having appeared before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and it appearing that the best interests of the infant will be served, and upon all the papers, pleadings and proceedings heretofore had herein,

NOW, on the motion of \_\_\_\_\_, Esq., attorney for the plaintiffs, it is

ORDERED, Pursuant to 22NYCRR§202.5(e)(2), the Court, *sua sponte*, finds good cause to permit the inclusion of the infant's full name and date of birth in the papers submitted in support of the infant compromise order.

ORDERED, that this action shall be settled for the total sum of \$\_\_\_\_\_, [\$\_\_\_\_\_ to be paid by defendant \_\_\_\_\_( $\Delta$ 1) and \$\_\_\_\_\_ to be paid by defendant \_\_\_\_\_( $\Delta$ 2),]; and it is further,

ORDERED, that \_\_\_\_\_(*parent*), as parent and natural guardian of the infant-plaintiff, \_\_\_\_\_( $\pi$ ), be and hereby is authorized to enter into a structured settlement of the within action, pursuant to the terms set forth herein, and to execute releases and any and all documents necessary to effectuate the aforesaid structured settlement; and it is further,

ORDERED, that out of the total sum of \$\_\_\_\_\_ , defendant be and is hereby directed to pay the sum of \$\_\_\_\_\_ to the order of \_\_\_\_\_, Esq. in full settlement of the attorney's claim for compensation, inclusive of disbursements [\$\_\_\_\_\_ to be paid by defendant  $\Delta$ 1

and \$ \_\_\_\_\_ to be paid by defendant Δ2,]; and it is further

ORDERED, that \_\_\_\_\_ Insurance Company shall arrange to purchase from \_\_\_\_\_ Life Insurance Company, which is organized under the laws of the State of \_\_\_\_\_, licensed to do business in the State of New York, and rated no less than A+ from A.M. Best Company, an annuity which will pay to Infant-Plaintiff \_\_\_\_\_ (π), or his/her designated beneficiary, the following sums:

1. \$ \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
2. \$ \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

etc.; and it is further,

ORDERED, that in the event of the death of Infant-Plaintiff \_\_\_\_\_(π), on or prior to the date of the last guaranteed payment, all of the aforesaid sums shall be paid to the estate of Infant-Plaintiff \_\_\_\_\_(π), the Infant-Plaintiff or his/her designated beneficiary in the same amount and in the same manner as hereinbefore set forth; and it is further,

ORDERED, that in addition to the contractual obligations of \_\_\_\_\_ Life Insurance Company issuing the aforesaid annuity, all payments required to be made pursuant to this Order shall be guaranteed in writing by \_\_\_\_\_ Insurance Company located at \_\_\_\_\_; and it is further

ORDERED, that the payments above mentioned are to be paid by mailing the same as follows:

\_\_\_\_\_

\_\_\_\_\_(Name and address of  
Infant-Plaintiff); and it is further,

ORDERED, that it shall be the obligation of the Life Insurance Company, which is the payor of the payments of the within structured settlement, to verify at least annually the mailing address of the Infant-Plaintiff and/or the designated payee of the payments hereunder; and it is further,

ORDERED, that the defendant shall furnish evidence to Infant-Plaintiffs' attorney of the issuance of an appropriate annuity policy to effectuate the structured settlement set forth hereinbefore within thirty (30) days from the date hereof; and it is further,

ORDERED, that the cause of action for loss of services and/or medical expenses of the mother and natural guardian, the same having been waived by said mother and natural guardian, be and the same is dismissed without costs and with prejudice; and it is further,

ORDERED, that the making of a bond be and hereby is dispensed with.

E N T E R,

\_\_\_\_\_  
Hon. Gina Abadi  
J.S.C