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18 Attorneys for Plaintiff KATHARINE  
19 PRESCOTT

20 **UNITED STATES DISTRICT COURT**  
21 **SOUTHERN DISTRICT OF CALIFORNIA**

22 KATHARINE PRESCOTT, an  
23 individual, and KATHARINE  
24 PRESCOTT, on behalf of KYLER  
PRESCOTT, a deceased minor,

Plaintiff,

vs.

26 RADY CHILDREN'S HOSPITAL –  
27 SAN DIEGO,

28 Defendant.

) Case No. 16-CV-02408-BTM (LL)

) **NOTICE OF SETTLEMENT IN  
PRINCIPLE**

) Honorable Barry Ted Moskowitz  
Honorable Linda Lopez

) Case Filed: September 26, 2016  
Final Pretrial Conference: March 17, 2020

Notice of Settlement in Principle  
Case No. 16-CV-02408-BTM (LL)

1 TO THE COURT, ALL PARTIES, AND COUNSEL FOR ALL PARTIES:

2 PLEASE TAKE NOTICE that Plaintiff KATHARINE PRESCOTT, an individual,  
3 and KATHARINE PRESCOTT, on behalf of KYLER PRESCOTT, a deceased minor  
4 (“Plaintiff”), and Defendant RADY CHILDREN’S HOSPITAL – SAN DIEGO  
5 (“Defendant”), have reached an agreement in principle to resolve all claims between  
6 Plaintiff and Defendant pending in this action. Plaintiff and Defendant are in the process  
7 of drafting and executing the formal settlement agreement and related dismissal papers.  
8 The Parties expect that the final executed Joint Stipulation of Dismissal of all claims will  
9 be filed within 30 days.

10 Respectfully submitted,

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12  
13 DATED: June 27, 2019

**FOLEY & LARDNER LLP**

14  
15 /s/ Kathryn A. Shoemaker  
16 Kathryn A. Shoemaker  
17 Attorneys for Katharine Prescott

18 DATED: June 27, 2019

**LEWIS BRISBOIS BISGAARD & SMITH  
LLP**

19  
20  
21 /s/ Marilyn R. Moriarty  
22 Marilyn R. Moriarty  
23 Attorneys for Rady Children’s Hospital – San  
24 Diego  
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**PROOF OF SERVICE**

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to this action. My current business address is 555 California Street, Suite 1700, San Francisco, CA 94104-1520. I am employed in the office of a member of the bar of this court at whose direction the service was made.

On June 28, 2019, I served the foregoing document described as:

**NOTICE OF SETTLEMENT IN PRINCIPLE**

on the interested parties in this action as follows:

Marilyn R. Moriarity

[Marilyn.moriarty@lewisbrisbois.com](mailto:Marilyn.moriarty@lewisbrisbois.com)

Suzanne Pollack

[Suzanne.pollack@lewisbrisbois.com](mailto:Suzanne.pollack@lewisbrisbois.com)

**LEWIS BRISBOIS BISGAARD & SMITH LLP**

701 B Street, Suite 1900

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*Attorneys for Defendant*

***RADY CHILDREN’S HOSPITAL–SAN DIEGO***

**X BY COURT’S CM/ECF SYSTEM**

Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the person listed above.

<p>LYNLY EGYES  <a href="mailto:lynly@transgenderlawcenter.org">lynly@transgenderlawcenter.org</a>          TRANSGENDER LAW CENTER          594 DEAN STREET          BROOKLYN, NY 11238</p> <p><i>Attorneys for Plaintiffs</i>  <b><i>KATHARINE PRESCOTT, AN INDIVIDUAL, AND KATHARINE PRESCOTT, ON BEHALF OF KYLER PRESCOTT, A DECEASED MINOR</i></b></p>	<p>Amy Whelan  <a href="mailto:awhelan@nclrights.org">awhelan@nclrights.org</a>          Julie Wilensky  <a href="mailto:jwilensky@nclrights.org">jwilensky@nclrights.org</a>          Asaf Orr          aorr@nclrights.org          NATIONAL CENTER FOR LESBIAN RIGHTS; 870 MARKET STREET, SUITE 370 SAN FRANCISCO, CA 94102  <i>Attorneys for Plaintiffs</i>  <b><i>KATHARINE PRESCOTT, AN INDIVIDUAL, AND KATHARINE PRESCOTT, ON BEHALF OF KYLER PRESCOTT, A DECEASED MINOR</i></b></p>
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PROOF OF SERVICE BY E-MAIL AND CM/ECF SYSTEM

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X **BY E-MAIL**

Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

X Executed on June 28, 2019, at San Francisco, **California**.

X I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.



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Laura Lee