

PROBATE COURT OF SUMMIT COUNTY, OHIO

BILL SPICER, JUDGE

Additional room here for extra long name

ESTATE OF Full name of decedent, **DECEASED**

CASE NO. D case number

APPLICATION TO APPROVE SETTLEMENT AND DISTRIBUTION OF WRONGFUL DEATH AND SURVIVAL CLAIMS

(R.C. 2117.05, 2125.02, 2125.03, Civ. R. 19.1 and Sup. R. 70)

The Fiduciary states:

(Check whichever of the following are applicable, strike inapplicable words, and incorporate all attachments into a single statement.)

- There is an offer of _____ settlement without suit being filed.
- There is an offer of _____ settlement after suit was filed. The style of the case, the Court and the case number being _____.
- A judgment has been recovered for damages for decedent's wrongful death
- The amount of the settlement or judgment is \$ _____.
- This is a partial settlement and therefore the estate must remain open pending final disposition of the claims.
- The offer includes, or the judgment sets forth separately, reasonable funeral and burial expenses in the amount of \$ _____.
- Reasonable compensation for the fiduciary's services is \$ _____ and an itemization of such services is attached.
- A reasonable attorney fee for the attorney's services is \$ _____ and reimbursement to the attorney for case expenses is \$ _____. A copy of the attorney's fee contract that _____ received prior approval of this Court, subject to modification, and an itemization of case expenses are attached.
- The net proceeds of \$ _____ should be allocated \$ _____ to the wrongful death action and \$ _____ to the survival action. A statement in support thereof is attached.
- A statement in support of the proffered settlement is attached.
- Supplemental forms required by local rule of court are attached.
- All of the beneficiaries of the wrongful death action are on an equal degree of consanguinity, are adults, and have agreed how the net proceeds are to be distributed.