

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

ESTATE OF MELINDA DUCKETT, et al.
Plaintiffs,

v.
CABLE NEWS NETWORK LLLP (CNN), et al.
Defendants.

CASE NO.: 5:06-cv-444-WTH

**JOINT PETITION FOR APPROVAL OF SETTLEMENT
CREATING TRENTON JOHN DUCKETT IRREVOCABLE TRUST**

Plaintiff Estate of Melinda Duckett, by and through her personal representative, Kathleen Calvert and Defendants Cable News Network, Inc.¹ and Nancy Grace (collectively the "Parties"), petition this Court for approval of settlement pursuant to Florida Statutes § 768.25:

1. Pursuant to Florida Statutes § 768.25, the Parties seek approval of the settlement between the Estate of Melinda Duckett and Defendants. The statute provides in relevant part:

768.25 Court approval of settlements.--While an action under this act is pending, no settlement as to amount or apportionment among the beneficiaries . . . which affects a survivor who is a minor . . . shall be effective unless approved by the court.

2. Pursuant to the terms of settlement, Defendants agree to cause to be created the Trenton John Duckett Irrevocable Trust ("Trust") in the amount of Two-Hundred Thousand Dollars (\$200,000.00) for the sole purpose of locating Trenton Duckett. The Trustee of the Trust shall be Kathleen Calvert ("Trustee"). In the event that Trenton Duckett is found alive before his 13th birthday, all remaining proceeds shall be administered by the Trustee and dedicated to the benefit of Trenton Duckett until he reaches the age of 18 years at which time any remaining assets of the Trust will transfer to Trenton Duckett for his sole use and benefit. If prior to his

¹ Plaintiffs erroneously sued "Cable News Network LLLP," an entity that does not exist. "CNN" is the acronym for Cable News Network LP, LLLP, now known as Cable News Network, Inc.

13th birthday, (a) Trenton Duckett is not found, or (b) Trenton Duckett is located but is not alive, or (c) Trenton Duckett is determined by a Court to not be alive, all remaining funds in the Trust shall be immediately transferred by the Trustee to the National Center for Missing and Exploited Children ("NCMEC") or its successor.

3. Kathleen Calvert is the personal representative of the Estate of Melinda Duckett and has authorized the settlement with the full explanation of the advantages and disadvantages of the settlement and the alternative to proceed to trial. Ms. Calvert believes it is in the best interest of the Estate to settle this action and not proceed to trial.

4. As the settlement may "affect a survivor who is a minor" (Trenton Duckett, who has been missing since August 27, 2006), the parties to the settlement request the Court's approval pursuant to Florida Statutes § 768.25.

5. Upon approval of the settlement, the parties request that the Court authorize Kathleen Calvert, as personal representative of the Estate of Melinda Duckett, to execute any and all documents and papers necessary to effectuate the settlement.

WHEREFORE, the Estate of Melinda Duckett, by and through her personal representative, and CNN and Nancy Grace respectfully request the Court's approval of the settlement between them and authorize Kathleen Calvert, as personal representative of the Estate of Melinda Duckett, to execute any and all documents and papers necessary to effectuate the settlement.

Respectfully Submitted,

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By: /s/ Charles D. Tobin

By: /s/ Jay Paul Deratany

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of November, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to all parties of record..

/s/ Charles D. Tobin