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SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

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Government Code § 6103

9 Attorneys for Defendant, RIVERSIDE UNIFIED SCHOOL DISTRICT

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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF RIVERSIDE

13 TEDD W. MASON, an individual,
14 Plaintiff,

15 v.

16 MATTHEW GREY, an individual, RICK GAY,
17 an individual, KASIA GAY, an individual,
18 RIVERSIDE UNIFIED SCHOOL DISTRICT, et
19 al.,
20 Defendants.

CASE NO.: RIC 443002

**NOTICE OF SETTLEMENT AND
APPLICATION FOR ORDER
DETERMINING SETTLEMENT TO BE
IN GOOD FAITH PURSUANT TO CODE
OF CIVIL PROCEDURE SECTION 877.6;
PROPOSED ORDER THEREON**

JUDGE: The Hon. Edward D. Webster
TRIAL DATE: None
ACTION FILED: 1/10/06

21 TO ALL PARTIES HEREIN AND TO THEIR ATTORNEYS OF RECORD AND TO THIS
22 HONORABLE COURT:

23 PLEASE TAKE NOTICE that pursuant to Code of Civil Procedure section 877.6,
24 subdivision (a)(2), defendant, RIVERSIDE UNIFIED SCHOOL DISTRICT, has entered into a
25 settlement with plaintiff, TEDD W. MASON, in the amount of Seventy-Five Thousand Dollars
26 (\$75,000.00). Defendant, RIVERSIDE UNIFIED SCHOOL DISTRICT, hereby applies to this
27 Court for a determination that the settlement is in good faith, thus barring prosecution of any
28 pending or future cross-complaints for indemnity or contribution, including but not limited to any
potential or actual cross-complaints of co-defendants MATTHEW GREY, RICK GAY, and/or
KASIA GAY or other named co-defendants.

1 This settlement is upon the following terms:

2 Defendant, RIVERSIDE UNIFIED SCHOOL DISTRICT, has agreed to pay to plaintiff,
3 TEDD W. MASON, the sum of \$75,000.00 in exchange for a release and dismissal with prejudice.

4 The basis for the settlement is as follows:

5 This case arises from an assault and battery which occurred on January 4, 2005 in the locker
6 room at J. W. North High School. Plaintiff, Tedd Mason, and defendant, Matthew Grey, were good
7 friends and members of the North varsity football team. The two students had a disagreement
8 several days prior which apparently prompted Matthew Grey to strike plaintiff, without warning, that
9 morning. Lou Randall, the North High School football coach, was not present in the locker room at
10 the time of the assault, in violation of school policy. Plaintiff contended that Mr. Grey knew Coach
11 Randall would not be present in the locker room while the players were changing after weight-
12 training. Defendant herein contended that while Coach Randall's absence from the locker room
13 violated established District policy, the proximate cause of plaintiff's injuries was the assault and
14 battery by Matthew Grey. It should be noted that Rick and Kasia Gay are the parents of Matthew
15 Grey.

16 Plaintiff and defendant herein participated in a lengthy mediation hearing before Timothy
17 Corcoran, Esq. on July 10, 2007. Following negotiations, plaintiff, TEDD W. MASON, and
18 defendant, RIVERSIDE UNIFIED SCHOOL DISTRICT, reached a settlement in the amount of
19 \$75,000.00 as to any and all claims which plaintiff may have now or in the future against defendant,
20 RIVERSIDE UNIFIED SCHOOL DISTRICT. The amount paid by RIVERSIDE UNIFIED
21 SCHOOL DISTRICT represents the "ballpark" estimate of this defendant's potential exposure in this
22 matter, taking into account the facts of the case, the plaintiff's injuries and damages, the conduct of
23 Matthew Grey at the time of and after the incident, the uncertainty of trial, the passage of time and
24 the anticipated costs of future proceedings to both parties.

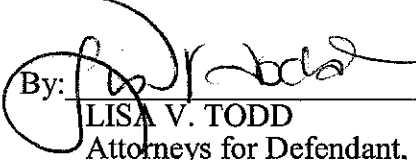
25 WHEREFORE, defendant, RIVERSIDE UNIFIED SCHOOL DISTRICT, respectfully
26 requests that the Court find that the above-referenced settlement is in good faith pursuant to Code of
27 Civil Procedure section 877.6, subdivision (a)(2), and order that any pending or future cross-
28 complaints for indemnity and/or contribution, including but not limited to potential or actual cross-

1 complaints of any current co-defendants are forever barred.

2 DATED: July 11, 2007

THOMPSON & COLEGATE LLP

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By: 
LISA V. TODD
Attorneys for Defendant,
RIVERSIDE UNIFIED SCHOOL DISTRICT

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1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

3 I am employed in the County of Riverside, State of California. I am over the age of 18 years
4 and not a party to the within action. My business address is **3610 Fourteenth Street, P. O. Box 1299, Riverside, California 92502.**

5 On July 12, 2007, I served the foregoing document described as **NOTICE OF
6 SETTLEMENT AND APPLICATION FOR ORDER DETERMINING SETTLEMENT TO
7 BE IN GOOD FAITH PURSUANT TO CODE OF CIVIL PROCEDURE 877.6; PROPOSED
8 ORDER THEREON** on the interested parties in this action.

9 x by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s),
10 addressed as follows:

11 **SEE ATTACHED SERVICE LIST**

12 x **BY CERTIFIED, RETURN RECEIPT MAIL:** I deposited such envelope in the mail at
13 3610 Fourteenth Street, Riverside, California. The envelope was mailed with postage thereon
14 fully prepaid.

15 I am "readily familiar" with the firm's practice of collection and processing correspondence
16 for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary
17 course of business. I am aware that on motion of the party served, service is presumed invalid
18 if postal cancellation date or postage meter date is more than one (1) day after date of deposit
19 for mailing in affidavit.

20 **BY FACSIMILE MACHINE:** I transmitted a true copy of said document(s) by facsimile
21 machine, and no error was reported. Said fax transmission(s) were directed as indicated on
22 the service list.

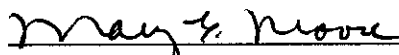
23 **BY OVERNIGHT MAIL:** I deposited such documents at the Overnite Express or Federal
24 Express Drop Box located at _____. The envelope was deposited with
25 delivery fees thereon fully prepaid.

26 **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above
27 addressee(s).

28 (State) I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of the Bar of this Court, at
whose direction the service was made. I declare under penalty of perjury under the laws of
the State of California that the foregoing is true and correct.

Executed on July 12, 2007, at Riverside, California.


Mary E. Moore

SERVICE LIST

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Gay and Kasia Gay