V I R G I N I A:

IN THE CIRCUIT COURT OF

\*

Administrator of the Estate of \*

, Decedent \*

\*

Petitioner \*

\*

v \* Law No.

\*

\*

Respondent \*

***PETITION FOR APPROVAL OF COMPROMISE OF WRONGFUL DEATH CLAIM***

COMES NOW the petitioner, by counsel, pursuant to Section 8.01-55 of the Code of Virginia, and petitions this Court for approval of a compromise of a claim for damages arising under the Virginia Wrongful Death Statute relating to the death of the decedent and in support thereof states as follows:

1. , decedent did pass away on the day of , 20\_\_.

2. The estate of the decedent has asserted a claim alleging certain negligence on the part of the respondent which was the cause of the death of the decedent.

3. At the time of his death, the decedent was survived by the following statutory beneficiaries as described in Virginia Code Section 8.01-53; . Each of these beneficiaries is over the age of eighteen (18) and not a person under disability. There is no deceased child of the decedent.

4. The respondent expressly denies liability for the death of the decedent but nevertheless is willing to settle the claims which have been asserted in this matter for the total sum of $ .

5. The administrator of the estate of the decedent consid­ers this settlement to be fair and reasonable under all of the circumstances and recommends that the compromise settlement be approved by the Court.

6. Other than those persons referenced in paragraph three above there are no other persons who are entitled to any distri­bution of any recovery that may be received in this matter except for the approval of counsel fees and costs for counsel for the estate.

WHEREFORE, the petitioner requests that all interested parties be convened in person or by their authorized representa­tive, that the Court approve and confirm the compromise and settlement and enter a final order directing payment of said sums in accordance with Section 8.01-55 of the Code of Virginia and that the Court release and discharge the respondent after such payment from any and all liability to the estate of the decedent as result of his death.

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Counsel for the Petitioner