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**IN THE DISTRICT COURT OF GUAM**

JOSE HERRERO TORRES, on behalf of  
himself and all others similarly situated,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant,

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JULIA C. THOMPSON, as administrator of the  
Estate of Luis Palomo Castro,

Petitioner.

CIVIL CASE NO. 81-00112

**ORDER**

Before the court is a Petition for an Order Granting Release and Distribution of Unclaimed Land Claims Award (“Petition”). *See* ECF No. 8660. The Petition alleges that the Decedent, Luis Palomo Castro, is entitled to certain proceeds arising from land claims award distributions in connection with Lot. No. 5329BA—namely, a “First Distribution,” totaling \$3,249.86, and a “Second Distribution,” totaling \$952.40. The Petition further alleges that these awards remain unclaimed.

1           The Petitioner provided the following documents: a notarized verification; a certified  
2 copy of the court order, appointing Julia Castro Thompson by the Superior Court of Guam as the  
3 administrator of the estate of Luis P. Castro, dated December 22, 1975; a Certificate of Service,  
4 stating that on April 10, 2015, the parties in this case were served with the Petition (ECF No.  
5 8660) and the Notice (ECF No. 8662); a copy of a letter from R. Charles Bocken, class counsel  
6 in the Guam Land Claims Lot. No. 5329BA, dated October 31, 1990, informing Julia C.  
7 Thompson of the distribution of the Guam land claims settlement fund; and a certified copy of a  
8 Durable Power of Attorney for Financial Management, dated February 18, 2015, appointing  
9 Evelyn Joyce Thompson as Julia C. Thompson’s Attorney-in-Fact, to handle various matters on  
10 her behalf, including matters that pertain to claims and litigation.

11           The United States filed a response to the Petition, indicating that it has found an  
12 unexplained discrepancy with the amounts claimed. *See* ECF No. 8665. The United States directs  
13 the court’s attention to the Final Judgment on All Claims Against the United States Settled by the  
14 Class Action Settlement; and Partial Final Judgment on Certain Settlement Distribution and  
15 Procedural Orders; Exhibits “A”-“C” (“Final Judgment”) filed on June 18, 1991, which shows  
16 an award amount of \$3,390.03, for Lot No. 5329BA. In addition, the United States directs the  
17 court’s attention to the Fifteenth Order for Payment of Settlement Shares; Exhibits “1”-“3”  
18 (“Fifteenth Order”) filed on December 10, 1990, which also shows the same award amount of  
19 \$3,390.03, for Lot No. 5329BA. Accordingly, the United States recommends that the Petitioner  
20 be awarded the sum of \$3,390.03, in accordance with the Final Judgment and the Fifteenth  
21 Order. *See* ECF No. 8665, at 2.

22           Upon review of the record herein, the court finds that the amounts claimed are correct  
23 and accurate. The court provides the following breakdown:  
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Item	Amount	Reference
First Award	\$3,390.03	ECF No. 6303 appendix, at 101
Less Atty Fee	(\$140.17)	ECF No. 7112, at 20
<b>First Distribution Total</b>	<b>\$3,249.86</b>	
Second Award	\$537.30	ECF No. 6303 appendix, at 101
Interest Earned on 1st Award	\$431.32	ECF No. 6303 appendix, at 101
Opt/Bonus	\$1.03	ECF No. 6303 appendix, at 101
	\$969.65	
Less 4% of Interest Earned for Atty Fee	(\$17.25)	ECF No. 5469
<b>Second Distribution Total</b>	<b>\$952.40</b>	
<b>Total Amount to be Distributed</b>	<b>\$4,202.26</b>	

Accordingly, the court **GRANTS** the Petition. It is therefore **ORDERED** that:

1. The Decedent is entitled to the relief sought in the Petition;
2. Pursuant to 28 U.S.C. § 2042, the Clerk of the Court for the District Court of Guam shall release the sum of Four Thousand Two Hundred Two Dollars and Twenty-Six Cents (\$4,202.26), which is the total amount of unclaimed land claims awards for Lot. No. 5329BA, from the United States Treasury, which currently holds said amount in trust;
3. The Clerk of Court for the District Court of Guam shall then disburse said funds to: The Superior Court of Guam, 120 West O'Brien Drive, Hagatna, GU 96910;
4. Having obtained said funds from the District Court of Guam, the Superior Court of Guam shall hold said funds in trust for the Estate of Luis Palomo Castro, Superior Court of Guam Probate Case No. 130-75.

1           The Clerk of Court for the District Court of Guam is hereby relieved of any liability  
2 arising from compliance with this order.

3           **SO ORDERED.**



5           /s/ Frances M. Tydingco-Gatewood  
6           Chief Judge  
7           Dated: Mar 31, 2016

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