

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

TIMOTHY SCOTT CARAMILLO,
ADMINISTRATOR OF THE ESTATE OF
REGINA MARIE HONEYCUTT, Deceased,

Plaintiff,

v.

Civil Action No. 2:19-cv-00362

CORRECT CARE SOLUTIONS, LLC, now
conducting business as WELLPATH LLC, *et al.*,

Defendants.

ORDER APPROVING WRONGFUL-DEATH SETTLEMENT

THIS day came Plaintiff, Timothy Scott Caramillo, Administrator of the Estate of Regina Marie Honeycutt, Deceased, by counsel, and Defendants, by counsel, and, pursuant to Virginia Code § 8.01-55 and upon Plaintiff's motion for approval of wrongful-death settlement, and notice to the statutory beneficiaries, Plaintiff moved for approval of the wrongful-death settlement.

It appearing to the Court that the matters agreed upon by the parties as set forth herein be and the same hereby are ratified, approved, and confirmed.

Specifically, it appearing to the Court that:

1. All parties required by law to be convened are convened or are deemed convened by their signatures to this Order or by written notice of hearing.

2. On October 7, 2018, Regina Marie Honeycutt ("Honeycutt"), a 32-year-old woman, was pronounced dead at Maryview Hospital while in the custody of Hampton Roads Regional Jail Authority. She had been transferred to the hospital unresponsive the previous night, October 6, 2018.

In September and October 2018 prior to her death, Ms. Honeycutt had been held at the Norfolk City Jail and the Hampton Roads Regional Jail.

3. On December 11, 2018, Plaintiff Timothy Scott Caramillo, the father of the Decedent, Regina Marie Honeycutt, duly qualified as Administrator of the Estate of Regina Marie Honeycutt in the Norfolk Circuit Court, under the provisions of Virginia Code § 64.2-454.

4. On July 14, 2019, Plaintiff initiated this action in his capacity as Administrator of the Estate of Regina Marie Honeycutt, Deceased, pursuant to, among other statutes, Virginia Code § 8.01-50 *et seq.* (wrongful-death statute). Defendants denied any liability in the matter.

5. Without admitting any liability, Defendants have collectively agreed to pay and Plaintiff has agreed to accept, contingent upon Court approval, cash in the amount of Nine Hundred Thousand Dollars (\$900,000.00) in full settlement and discharge of all of Plaintiff's claims in this matter against Defendants, and their deputies, employees and agents. Payments are more specifically delineated as follows:

a. Defendant Correct Care Solutions, LLC ("CCS") has agreed to pay, and Plaintiff has agreed to accept, contingent upon Court approval, cash in the amount of Six Hundred Fifty Thousand Dollars (\$650,000.00) in full settlement and discharge of all of Plaintiff's claims in this matter against the foregoing Defendant and its employees and agents.

b. Defendants Hampton Roads Regional Jail Authority ("HRRJA") and David A. Hackworth have agreed to pay, and Plaintiff has agreed to accept, contingent upon Court approval, cash in the amount of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) in full settlement and discharge of all of Plaintiff's claims in this matter against the foregoing Defendants and their deputies, employees and agents.

c. Defendants Sheriff Joseph P. Baron, Deputy Isureal, Deputy Caniff, and Deputy Dudley have agreed to pay, and Plaintiff has agreed to accept, contingent upon Court approval, cash in the amount of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) in full settlement and discharge of all of Plaintiff's claims in this matter against the foregoing Defendants and their deputies, employees and agents.

6. Plaintiff has represented to the Court that he has accepted the Defendants' offers of settlement, contingent upon Court approval, after having considered all factors involved, and participating in private mediation.

7. Plaintiff had the authority to file suit on behalf of the Estate of Regina Marie Honeycutt, Deceased, to negotiate and agree to a settlement, to sign the Settlement Agreements and Releases ("Agreements") on behalf of the Estate of Regina Marie Honeycutt, Deceased, consenting to the resolution of the claims as provided for in the Agreements, and to file a petition for approval of the compromise settlement.

8. The settlement is fair and reasonable under all the circumstances.

9. The decedent, Regina Marie Honeycutt, is survived by the following:

Timothy Scott Caramillo

Relationship to Regina Marie Honeycutt: Father and Administrator of the Estate

Year of Birth: 1964

Current address: 1562 Chela Avenue, Unit 3, Norfolk, VA 23503

Timothy Scott Honeycutt

Relationship to Regina Marie Honeycutt: Brother

Year of Birth: 1982

Current address: 406 S. King Street, Winnfield, LA 71482

Athena Waite

Relationship to Regina Marie Honeycutt: Half-sister

Year of Birth: 1989

Current address: 8201 Wedgewood Drive, Norfolk, VA 23518

10. That, as per Virginia Code § 8.01-53 (1950, as amended), which designates applicable classes of beneficiaries, the foregoing are Honeycutt's statutory beneficiaries (the "Statutory Beneficiaries").

11. That the Court Orders that the parties be reimbursed for the payment of funeral expenses in the following amounts: Arriaza Utility Inc. in the amount of \$1,295.00, and Athena Waite in the amount of \$2,500.00.

12. The parties represent that there are no liens in this matter.

13. That Plaintiff represents that he has been represented by The Krudys Law Firm, PLC and that all attorneys' fees and costs and expenses incurred in the matter will be paid from the compromise settlement. Plaintiff's counsels' total fee is \$300,000.00 (one-third of the gross recovery). Costs advanced by Plaintiff's attorneys or otherwise incurred for representation of Plaintiff total \$127,772.49. The principal cost has been in the amount of expert fees, which total \$97,396.00. The Krudys Law Firm, PLC will satisfy all of those amounts and seeks reimbursement in the foregoing amount. Additional costs incurred by Plaintiff's counsel total \$30,376.49.

14. The Court hereby Orders that payments to Plaintiff's attorneys for costs and fees be made as delineated above.

15. The Statutory Beneficiaries (all adults) have determined that the remaining amount – \$468,432.51 – should be equally divided, and this Court hereby so Orders, that the foregoing amount be divided by the Statutory Beneficiaries as follows:

Timothy Scott Caramillo	\$ 156,144.17
Timothy Scott Honeycutt	\$ 156,144.17
Athena Waite	\$ 156,144.17

16. Timothy Scott Honeycutt requested that his portion be paid into a trust established for his benefit. The Court so orders. If that trust is not established at the time of the settlement

approval hearing, Timothy Scott Honeycutt's portion shall be maintained in trust for him by Plaintiff's counsel until Timothy Scott Honeycutt's trust is so established, at which time the monies will be paid to that trust.

with an accounting and report submitted to the Administrator, with the signatures of Mr. Kauder, Mr. Caramillo as Administrator, and the notarized signature of Mr. Honeycutt. Said to be submitted no later than August 1, 2021, in those parties shall appear back before the courts in person. RBS

17. All sums set forth in the Disbursements Sheet constitute damages on account of personal physical injuries and physical sickness, within the meaning of Section 104 (a)(2) of the Internal Revenue Code of 1986, as amended. The entire payment is compensatory in nature to compensate each beneficiary for the loss of their daughter or sibling; there being no finding warranting punitive damages, and none of these funds are in any way deemed to relate to any punitive claims that were brought or could have been brought against any defendant.

18. That upon Defendants making the payments referenced in paragraph 5 above, all Defendants will be released from any and all liability and claims arising from the injuries to and the death of Honeycutt and that this matter will be dismissed with prejudice as to all Defendants.

ORDERED, that this case be removed from the Court's docket; and it is further

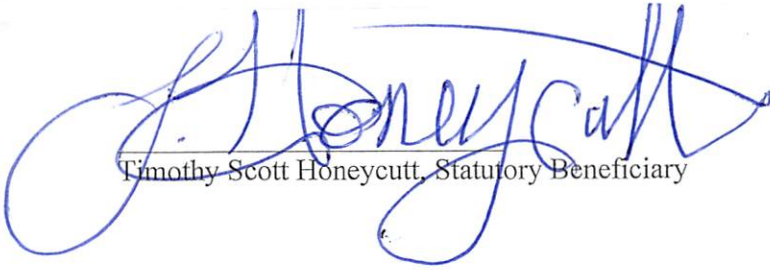
ORDERED, that the Clerk of the Court issue certified copies of this Order to all counsel forthwith.

ENTERED this 4th day of May, 2021.

/s/ RBS
Rebecca Beach Smith
Senior United States District Judge
JUDGE

WE ASK FOR THIS:

Timothy Scott Caramillo
Timothy Scott Caramillo, Administrator and Statutory Beneficiary



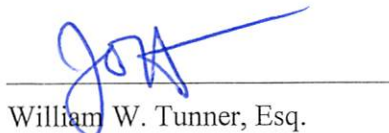
Timothy Scott Honeycutt, Statutory Beneficiary

Athena Waite, Statutory Beneficiary



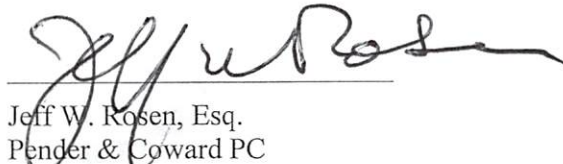
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