



COUNTY OF LOS ANGELES
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MARY C. WICKHAM
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May 18, 2017

TO: LORI GLASGOW
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: JENNIFER A.D. LEHMAN 
Assistant County Counsel
Law Enforcement Services Division

RE: **Item for the Board of Supervisor's Agenda**
County Contract Cities Liability Trust Fund
Claims Board Recommendation
Susan Berry, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-09715

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached is the Case Summary for the case.

It is requested that this recommendation and the Case Summary be placed on the Board of Supervisors' agenda.

JADL:sz

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled Susan Berry, et al. v. County of Los Angeles, et al., United States District Court Case No. CV 15-09715 in the amount of \$3,300,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of wrongful death and federal civil rights violations by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Susan Berry, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 15-09715
COURT	United States District Court
DATE FILED	October 14, 2015
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 3,300,000
ATTORNEY FOR PLAINTIFF	Steven F. Carlson, Esquire Randy A. Johnson, Esquire
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$3,300,000, inclusive of attorneys' fees and costs, a Sheriff's Department Contract Cities federal civil rights lawsuit filed by decedent John Berry's mother, siblings, and niece, alleging wrongful death, civil rights violations, and various State-law causes of action.</p> <p>The Deputies claim their actions were reasonable under the circumstances.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$3,300,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 101,887
PAID COSTS, TO DATE	\$ 8,292