



COUNTY OF LOS ANGELES  
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June 29, 2017

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TO: LORI GLASGOW  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO   
Senior Assistant County Counsel  
Executive Office

RE: Item for the Board of Supervisors' Agenda  
County Claims Board Recommendation  
Jose Hernandez, et al. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC588831

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter.

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

RHG:ds

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Jose Hernandez, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 588831 in the amount of \$2,000,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of negligence, assault and battery by Sheriff Deputies when Plaintiff was accidentally shot in the leg while they responded to an altercation with a neighbor; settlement is recommended in the amount of \$2,000,000.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jose Hernandez, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC 588831
COURT	Los Angeles Superior Court
DATE FILED	August 5, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 2,000,000
ATTORNEY FOR PLAINTIFF	Michelle A. MacDonald, Esquire Gray Duffy, LLP
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,000,000 a lawsuit filed by Jose Hernandez, individually and as Guardian Ad Litem for his minor son, Edwin H., against the County, Sheriff's Department ("LASD"), and four Sheriff's Deputies, alleging negligence, and assault and battery after Mr. Hernandez was accidentally shot in the leg by the Sheriff's Deputies.</p> <p>Given 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 \$2,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 77,275
PAID COSTS, TO DATE	\$ 14,880