



COUNTY OF LOS ANGELES
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TO: CELIA ZAVALA
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: STEVEN H. ESTABROOK *SHE*
Litigation Cost Manager
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Rafaelina Duval v. County of Los Angeles, et al.,
Los Angeles Superior Court Case No. BC 470 714

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is the Case Summary to be made available to the public.

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

SHE:scr

Attachment

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Rafaelina Duval v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 470 714 in the amount of \$6,000,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.

This lawsuit alleges Plaintiff's civil rights were violated when the Department of Children and Family Services removed her 15-month-old son without her consent, exigent circumstances, or a warrant.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rafaelina Duval v. County of Los Angeles, et al.
CASE NUMBER	BC470714
COURT	Los Angeles County Superior Court
DATE FILED	September 30, 2011
COUNTY DEPARTMENT	Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 6,000,000
ATTORNEY FOR PLAINTIFF	Law Offices of Shawn A. McMillan, APC Law Offices of Charles S. Roseman & Associates
COUNTY COUNSEL ATTORNEY	Armita Radjabian Deputy County Counsel Tom A. Guterres and Cristine Bodnar Swiss, Esq. of the Law Offices of Collins Collins Muir + Stewart, LLP Tim Coates, Esq. Greines, Martin, Stein & Richland LLP
NATURE OF CASE	Plaintiff alleges that her constitutional rights were violated when her son was removed from her custody on November 3, 2009. Defendants deny the allegations. Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid future litigation costs.
PAID ATTORNEY FEES, TO DATE	\$ \$1,675,070
PAID COSTS, TO DATE	\$ \$370,638