



COUNTY OF LOS ANGELES

CONTRACT CITIES LIABILITY TRUST FUND

CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MEMBERS OF THE BOARD

May 3, 2006

Curtis Morris
City Council Member
Mark R. Alexander
City Manager
Margaret Finlay
City Council Member
Jerome Groomes
City Manager
Susan Dever
City Council Member
Michael J. Egan
City Administrator
Sam Olivito
California Contract
Cities Association

Honorable Board of Supervisors
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Re: **Gabriella Savitt v. County of Los Angeles**
Compton Superior Court Case No. TC 018 542

Dear Supervisors:

The Contract Cities Liability Trust Fund Claims Board recommends that:

1. The Board authorize settlement of the above-entitled action in the amount of \$350,000.00.
2. The Auditor-Controller be directed to draw a warrant to implement this settlement from the Sheriff's Department - Contract Cities Liability Trust Fund - Carson.

Enclosed is the settlement request and a summary of the facts of the case.

The Corrective Action Report by the Sheriff's Department is being transmitted to you under separate cover.

Return the executed, adopted copy to Georgene Salisbury, Suite 648
Kenneth Hahn Hall of Administration, Extension 4-1803.

Very truly yours,

Curtis Morris, Chair
Los Angeles County Contract Cities
Liability Trust Fund Claims Board

CM/gs

Enclosures

MEMORANDUM

March 27, 2006

TO: THE COUNTY OF LOS ANGELES CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD

FROM: HAROLD G. BECKS & ASSOCIATES
Harold G. Becks

JOHANNA M. FONTENOT
Principal Deputy County Counsel
General Litigation Division

RE: Gabriella Savitt v. County of Los Angeles
Compton Superior Court Case No. TC 018542

DATE OF INCIDENT: January 14, 2004

AUTHORITY REQUESTED: \$350,000

COUNTY DEPARTMENT: Sheriffs Department- Contract Cities Trust Fund- Carson

CLAIMS BOARD ACTION:



Approve



Disapprove



Recommend to Board of Supervisors for Approval


_____, City Council Member
MARGARET FINLAY


_____, City Council Member
SUSAN DEVER


_____, City Council Member
CURTIS MORRIS

~~_____~~, City Manager
- ABSENT -
MICHAEL J. EGAN


_____, City Manager
JEROME GROOMES


_____, City Manager
MARK ALEXANDER


_____, California Contract Cities Association
SAM OLIVITO

on May 3, 2006

SUMMARY

This is a recommendation to settle for \$350,000, a lawsuit filed by Gabriella Savitt, who was injured in an automobile collision with a Sheriff's Deputy.

LEGAL PRINCIPLE

A public entity is responsible for the negligent and intentional acts of its employees when the acts are done in the course and scope of employment.

SUMMARY OF FACTS

On January 14, 2004, Gabriella Savitt was driving south on Figueroa Street in Carson when a Sheriff's patrol vehicle made a sudden left turn in front of her, causing a collision. The subsequent traffic investigation concluded that the Sheriff's Deputy was the cause of the accident.

Ms. Savitt sustained cartilage damage to her right knee. As a result, she had cartilage transplant surgery in May 2005. Following physical therapy, Ms. Savitt alleges that she has residual pain at the same level as it was prior to the transplant surgery. As a result, Ms. Savitt's medical doctors recommend that she have a complete knee replacement, due to the unsuccessful cartilage transplant.

DAMAGES

We estimate that evidence of the potential damages at a trial of the matter could be as follows:

Past Medical Expenses	\$ 32,000
Future Medical Expenses	\$ 75,000
Pain and Suffering	\$ 300,000
Loss of Earnings	<u>\$450,000</u>
Total	<u>\$ 857,000</u>

The proposed settlement calls for the County to pay Ms. Savitt \$350,000, for all of her claims for damages, costs, and attorneys' fees. Her claim for the property damage to her vehicle was previously settled for \$22,889.

STATUS OF CASE

Prior to trial, Ms. Savitt made a demand of \$1,000,000 and rejected the County's offer of \$300,000. On the third day of trial, the parties reached a tentative settlement of \$350,000, subject to the approval of the Contract Cities Claims Board and the Board of Supervisors.

Expenses incurred by the County in defense of this action are attorneys' fees of approximately \$30,000 and \$11,000 in costs.

EVALUATION

This is a case of undisputed liability. The Sheriff's Deputy made an unsafe left turn, and was found to have been the cause of the accident.

A reasonable settlement at this time will avoid further litigation costs and a potential jury verdict that could exceed the amount of the recommended settlement.

We join with our private attorney, Harold G. Becks, and our third party administrator, Carl Warren and Company, in recommending this settlement in the amount of \$350,000. The Sheriff's Department concurs in the recommendation.

APPROVED:



ROGER H. GRANBO
Assistant County Counsel
Law Enforcement Services Division

RHG:bh