



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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County Counsel

December 15, 2010

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI   
Senior Assistant County Counsel

RE: **Lisa D. Gaffney, individually and as guardian ad litem for  
Amber Dunn v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 411 730**

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

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Lisa D. Gaffney, individually and as guardian ad litem for Amber Dunn v. County of Los Angeles, Los Angeles Superior Court Case No. BC 411 730, in the amount of \$1,175,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at the Harbor UCLA Medical Center.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

|                            |  |
|----------------------------|--|
| CASE NAME                  | Lisa D. Gaffney, individually and as guardian ad litem for Amber Dunn v. County of Los Angeles   |
| CASE NUMBER                | BC 411730  |
| COURT                      | Los Angeles Superior Court - Central District  |
| DATE FILED                 | June 3, 2009   |
| COUNTY DEPARTMENT          | Department of Health Services  |
| PROPOSED SETTLEMENT AMOUNT | \$1,175,000  |
| ATTORNEY FOR PLAINTIFF     | Anthony Kornarens, Esq.<br>Law Office of Anthony Kornarens<br><br>Joseph DiMonda, Esq.<br>Angelo & DiMonda   |
| COUNTY COUNSEL ATTORNEY    | Narbeh Bagdasarian   |
| NATURE OF CASE             | On November 29, 2008, Amber Dunn was involved in a motor vehicle accident. She was transferred to Harbor UCLA Medical Center ("HUMC") for treatment of her injuries.<br><br>On November 30, 2008, Amber Dunn underwent a diagnostic procedure. During the procedure an unexpected complication occurred whereby one of the patient's blood vessels was injured. Although this injury caused further complications, the patient was treated and discharged home a few days later. |

Amber Dunn filed a lawsuit against the County of Los Angeles contending that the HUMC staff were negligent in performing the November 30, 2008, procedure thereby causing permanent injuries to her.

PAID ATTORNEY FEES, TO DATE

\$193,862.50

PAID COSTS, TO DATE

\$151,912.92

Case Name: DUNN, AMBER



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

|  |   |
|--|---|
| Date of incident/event:                              | November 30, 2008   |
| Briefly provide a description of the incident/event: | On November 29, 2008, Amber Dunn was involved in a motor vehicle accident. She was transferred to Harbor/UCLA Medical Center for treatment of her injuries. On November 30, 2008, Miss Dunn underwent a diagnostic procedure. During the procedure an unexpected complication occurred whereby one of Miss Dunn's blood vessels was injured. Although this injury caused further complications, Miss Dunn was treated and discharged home a few days later. |

1. Briefly describe the root cause(s) of the claim/lawsuit:

Injury from an unexpected penetration of a blood vessel wall by a catheter tip.  
(While we can defend and explain the various issues in this case and believe the standard of care was met, defense will be difficult by the projected application of the Res Ipsa doctrine.)

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)


- Nursing staff were re-educated regarding documentation in the medical record.

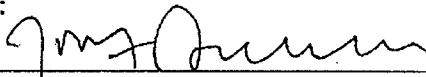
3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

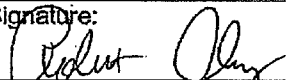
County of Los Angeles  
Summary Corrective Action Plan

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|  |               |
|--|---------------|
| Name: (Risk Management Coordinator)<br>Kimberly McKenzie, RN, MSN, CPHQ                      |               |
| Signature:  | Date: 10/6/10 |

|  |                |
|--|----------------|
| Name: (Department Head)<br>John Schunhoff, Ph.D  |                |
| Signature:  | Date: 11-18-10 |

**Chief Executive Office Risk Management Branch**

|  |                |
|--|----------------|
| Name:<br>Robert Chavez   |                |
| Signature:  | Date: 10/13/10 |

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