



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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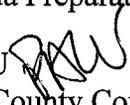
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JOHN F. KRATTLI
Acting County Counsel

February 8, 2012

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Andriy Sviridov, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. BC 441 126

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 Supervisors' agenda.

PAW:cs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Andriy Sviridov, et al. v. County of Los Angeles, Los Angeles Superior Court Case No. BC 441 126, in the amount of \$250,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Los Angeles County Fire Department's and Los Angeles County Sheriff's Department's budgets.

This lawsuit alleges negligence by Fire Department paramedics and Sheriff's Department deputies who attended to a minor's injuries after the minor's involvement in a gang related altercation.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Andriy Sviridov, a minor, by and through his Guardian Ad Litem, Andrey Sviridov v. County of Los Angeles, et al.
CASE NUMBER	BC 441126
COURT	Los Angeles Superior Court - Central District
DATE FILED	July 7, 2010
COUNTY DEPARTMENT	Los Angeles County Fire Department and Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$250,000
ATTORNEY FOR PLAINTIFF	P. Christopher Ardalan, Esq. Ardalan & Associates, PLC Boris Treyson, Esq. Law Offices of Treyson & Associates
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	On November 17, 2009, Andriy Sviridov, was involved in some physical altercation. The Los Angeles County Fire Department paramedics were called to the scene. After examining Andriy and believing him to be in a stable condition, the paramedics left the scene.

On November 18, 2009, Andriy was found to have an altered level of consciousness. He was taken to the hospital and was diagnosed with bleeding in his brain.

Andriy, by and through his Guardian Ad Litem, filed a lawsuit against the County of Los Angeles contending that the County paramedics were negligent in their examination and evaluation of Andriy and that the paramedics should have taken Andriy to a hospital.

PAID ATTORNEY FEES, TO DATE

\$58,504

PAID COSTS, TO DATE

\$21,735.89

Case Name: Sviridov v. COLA



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 17, 2009
Briefly provide a description of the incident/event:	<p>Plaintiff Sviridov is a 17 y/o male who was involved in an altercation with other young adults in the parking lot of a McDonald's in West Hollywood. It was alleged that he attempted to break up a fight between two other individuals.</p> <p>A 911 call was placed to L.A. County Fire by an unknown caller who reported that Sviridov had been assaulted. The Engine 8 and Squad 8 responded along with a contracted, private ambulance. Paramedics found Sviridov awake and alert and stating nothing had happened and he did not wish to be examined or transported. Paramedics examined him and documented that he had no complaints, no chest pain, shortness of breath, altered mental status, nausea, or vomiting. He had good motor strength and was alert and oriented. He had no visible trauma and no trauma to his head. He was not weak or dizzy and denied neck or back pain. All of his vital signs were within normal limits. He continued to state that he did not wish to be transported and due to the lack positive findings was released to his 20 y/o brother at the scene.</p> <p>After returning to the station, one member of the crew apparently stated he had noticed that Sviridov was incontinent of urine. The paramedic completing the EMS form did not note that condition at the scene but added to the report.</p> <p>The following morning (11/18/09) a 911 call was placed to L.A. City Fire from Sviridov's home. Paramedics arriving on scene found him in bed with an altered level of consciousness, he had vomited, and his pupils were fixed and dilated. The paramedics noted a small hematoma to his left occipital lobe. He was transported to Cedars-Sinai Medical Center where he was found to be non-responsive to everything except painful stimuli. Sviridov remained in Cedars-Sinai in a persistent vegetative state until January 28, 2010 when he was transferred to a long term care facility, where he remains as of this date.</p>

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

1. The paramedic documenting the examination of the patient documented a symptom that he did not personally observe.
2. There was no investigation of the cause or impact of that symptom.

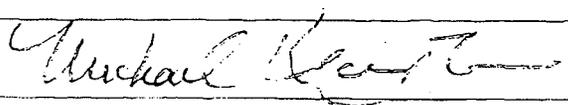
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

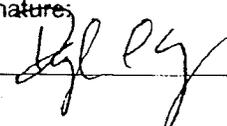
1. Conduct training for the paramedics and the engine crew on medical documentation, assessment, and interaction with law enforcement. (Dr. Frank Pratt, Department Medical Director/December 2009)

County of Los Angeles
Summary Corrective Action Plan

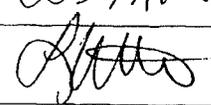
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- Potentially has County-wide 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 County-wide or other department implications.

Name: (Risk Management Coordinator) Michael Kranther	
Signature: 	Date: 9/22/11

Name: (Department Head) Daryl L. Osby, Fire Chief	
Signature: 	Date: 09/28/11

Chief Executive Office Risk Management

Name: LEO COSTANTINO	
Signature: 	Date: 10/4/2011