

STATEMENT OF PROCEEDINGS

FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD

HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,

500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

ON MONDAY, NOVEMBER 19, 2018, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Steven Estabrook.

1. **Call to Order.**
2. **Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.**

No members of the public addressed the Claims Board.

3. **Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9).**

- a. **Linda Watters, et al v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. KC 069 608**

This lawsuit seeks compensation from the Department of Public Works for real and personal property damage allegedly caused from a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$175,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

- b. **Marc Hepperle, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 635 004**

This lawsuit arises from alleged injuries sustained in a vehicle versus motorcycle accident involving an employee from the Department of Children and Family Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

c. **Ellen Danchik v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 668 902

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an employee from the Probation Department.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$70,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in Closed Session as indicated under Agenda Item No. 3 above.

5. Approval of the minutes of the November 5, 2018, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Linda Watters, et al. v. County of Los Angeles, et al.
CASE NUMBER	KC069608
COURT	Los Angeles Superior Court
DATE FILED	September 7, 2017
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 175,000
ATTORNEY FOR PLAINTIFF	Matthew P. Malczynski, Law Offices of Glenn Stern
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a blocked sewer mainline that caused a sewage backflow into Plaintiffs' property which damaged their real and personal property. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 10,664
PAID COSTS, TO DATE	\$ 1,066

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marc Hepperle, et al. v. County, et al.
CASE NUMBER	BC635004
COURT	Los Angeles Superior Court
DATE FILED	September 26, 2016
COUNTY DEPARTMENT	Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 250,000 (Total settlement is \$450,000, County's portion is \$250,000)
ATTORNEY FOR PLAINTIFF	Allan F. Davis, Esquire
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	<p>On April 28, 2015, Plaintiffs Marc and Kimberly Hepperle were allegedly injured as a result of a motorcycle versus automobile collision involving an on-duty employee of the Department of Children and Family Services. They sustained numerous injuries including a torn rotator cuff for Mr. Hepperle and a cervical spine disc injury for Ms. Hepperle. They claim medical expenses, loss of earnings in an unspecified amount, and general damages for pain and suffering.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$450,000, of which the County will pay \$250,000 and the County driver's private insurance will pay \$200,000, is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 136,182
PAID COSTS, TO DATE	\$ 30,481

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ellen Danchik v. County of Los Angeles, et al.
CASE NUMBER	BC668902
COURT	Los Angeles Superior Court
DATE FILED	July 24, 2017
COUNTY DEPARTMENT	Probation Department
PROPOSED SETTLEMENT AMOUNT	\$ 70,000
ATTORNEY FOR PLAINTIFF	Louis G. Beary Scranton Law Firm
COUNTY COUNSEL ATTORNEY	Jessica C. Rivas Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on August 9, 2016, in Glendale, when a vehicle driven by a Probation Officer collided with a vehicle in which Ms. Danchik was a passenger. Ms. Danchik claims to have suffered injuries as a result of the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 15,965
PAID COSTS, TO DATE	\$ 0

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

November 5, 2018

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: Chair Steve Robles, Arlene Barrera, and Steven Estabrook.

Other persons in attendance at the meeting were: Office of the County Counsel: Richard Kudo, Kelsey Nau, Timothy Kral, and Eduardo Montelongo; Department of Public Works: Dominic Osmena; Sheriff's Department: Anthony Rivas, Jennifer Bateman, and Kevin Peacy, Department of Health Services: Karen White.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9)

At 9:32 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(d) below.

4. Report of actions taken in Closed Session.

At 10:17 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Arleen Gainey v. City of Lancaster, et al.
Los Angeles Superior Court Case No. BC 619 323**

This dangerous condition lawsuit against the Department of Public Works arises from alleged injuries received when Plaintiff tripped and fell on a sidewalk.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$30,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

b. Claim of Nischell M. Tolbert

This claim seeks compensation from the Sheriff's Department for property damage allegedly caused by chemical agents deployed in order to apprehend a suspect barricaded in Claimant's house.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$45,983.20.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

**c. Alice Gomez Daly v. James Chambliss
Riverside Superior Court Case No. RIC 1715753**

This lawsuit against the Sheriff's Department alleges Plaintiff was assaulted and falsely imprisoned during a traffic incident.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$30,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

**d. Eduardo Solorzano v. County of Los Angeles
Los Angeles Superior Court Case No. BC 664 804**

This lawsuit alleges that an employee from the Department of Health Services was subjected to discrimination and harassment, and that the Department failed to engage in the interactive process.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$30,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

5. Approval of the minutes of the October 15, 2018, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

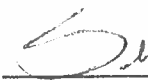
6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:19 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By  _____
Sandra Ruiz