

**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, MARCH 18, 2019, 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. **Marshal Wood v. County of Los Angeles, et al.  
United States District Court Case No. 2:18-CV-05788**

This lawsuit against the Sheriff Department alleges federal civil rights violations in which Plaintiff claims that he was unlawfully detained and arrested for domestic violence.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$60,000.

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

[See Supporting Document](#)

- b. **Brandon Dean v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 654 303**

This lawsuit concerns allegations made by a Sheriff's Department employee who claims that he was subjected to retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$100,000.

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

c. **Ki Chong Lee, Harold Choo v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 626 739**

This lawsuit arises from damages and injuries allegedly sustained in a vehicle accident involving an on-duty Sheriff's Deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$350,000.

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

[See Supporting Documents](#)

d. **George Kelly Thomas Halgrims v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 622 856**

This lawsuit arises from damages and injuries allegedly sustained in a vehicle accident involving a Fire Department paramedic.

Action Taken:

The Claims Board recommended the settlement of this matter in the amount of \$585,000.

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

[See Supporting Documents](#)

e. **Michelle Gomez, Roberto Gonzalez v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 645 050**

This lawsuit arises from damages and injuries allegedly sustained in a vehicle accident involving a delivery truck driven by a Department of Public Social Services employee.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$67,500.

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

[See Supporting Document](#)

f. **Susan Bandong v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 613 144**

This lawsuit concerns allegations made by a Department of Public Social Services employee who claims that she was subjected to disability discrimination, and that the Department failed to make a reasonable accommodation and to engage in the interactive process.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$45,000.

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

g. **Sunny Bath v. County of Los Angeles.**  
**Los Angeles Superior Court Case Nos. BC 614 536 and BC 648 6966**

This lawsuit concerns allegations made by a Department of Mental Health employee who claims that she was subjected to retaliation, discrimination and harassment based on race.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$68,000.

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

**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 March 4, 2019, 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	Marshal Wood v. County of Los Angeles, et al.
CASE NUMBER	2:18-CV-05788
COURT	United States District Court
DATE FILED	July 6, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 60,000
ATTORNEY FOR PLAINTIFF	Kevin Shawn Conlogue, Esq.
COUNTY COUNSEL ATTORNEY	Alexandra B. Zuiderweg, Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$60,000, inclusive of attorneys' fees and costs, Plaintiff Marshal Wood, alleges on 12/12/17, he was falsely arrested by Los Angeles County Sheriff's Department deputies at his residence located at 4621 Dyer Street in La Crescenta. He also alleges unreasonable search and seizure and failure to provide medical assistance after he suffered a seizure while in custody.</p> <p>Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$60,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 10,142.47
PAID COSTS, TO DATE	\$ 40.35

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ki Chong Lee, Harold Choo v. County of Los Angeles, et. al..
CASE NUMBER	BC 626739
COURT	Los Angeles Superior Court
DATE FILED	July 12, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 350,000 (\$180,000 for Harold Choo; \$170,000 for Ki Chong Lee)
ATTORNEY FOR PLAINTIFF	Richard Hoffman, Esq.
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on February 18, 2015, between Deputy Sheriff Mark Vencer and Plaintiffs Ki Chong Lee and Harold Choo. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 42,416
PAID COSTS, TO DATE	\$ 32,363

Case Name: Ki Chong Lee, Harold Choo v. County of Los Angeles, et al.



## 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:	
Briefly provide a description of the incident/event:	<p><b><u>Ki Chong Lee, Harold Choo v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2018-042</p> <p>On Wednesday, February 15, 2015, at approximately 8:30 a.m., two on-duty Los Angeles County deputy sheriffs, assigned to the Personnel Administration Bureau's Pre-Employment Unit, were traveling in an unmarked Crown Victoria Sheriff's Department vehicle southbound on Vermont Avenue in the city of Los Angeles.</p> <p>At Council Street, the first deputy sheriff (driver) drove into the intersection on a green light and began making a left turn at about five miles per hour. Simultaneously, the plaintiffs (driver and passenger) were northbound on Vermont Avenue, in a Lexus ES330, and entered the intersection at Council Street. The plaintiffs were beginning to travel straight through the intersection on a green light in the number three lane at approximately 20 to 40 miles per hour when the deputy sheriffs' vehicle turned left in front of them. The front of the plaintiff's vehicle struck the right side front fender of the deputy sheriffs' vehicle.</p> <p>After the initial collision, the plaintiff's vehicle continued travelling and collided into the protective barrier of an automotive dealership located at the northeast corner of the intersection.</p> <p>The plaintiffs (driver and passenger) were transported to the Good Samaritan Hospital where they received medical treatment for minor injuries.</p> <p>Neither deputy sheriff (driver or passenger) were injured.</p>

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

The **Department** root cause of this incident was the deputy sheriff's failure to yield to oncoming traffic while making a left turn.

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

This traffic collision was investigated and a report was prepared by the Los Angeles Police Department.

The traffic collision investigation concluded that the deputy sheriff caused the collision as he failed to yield to oncoming traffic while making a left turn, in violation of 21801(a) C.V.C.

The results of the traffic collision investigation were presented to Department executives to determine if the deputy sheriff's actions constituted misconduct. Upon thorough review by executive staff at Personnel Administration Bureau, it was determined that no administrative misconduct occurred.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

Personnel Administration Bureau conducted a review and assessment of all traffic collisions for 2015 through 2017. Based on this audit, it was determined there were 17 traffic collisions for this three year period. Eight of the traffic collisions were found to be preventable.

During the audit, it was discovered there was a notable increase of preventable traffic collisions in 2016 (six of eight were preventable collisions). The following numbers represent the preventable traffic collisions per year for the Personnel Administration Bureau:

- 2015 – One (1)
- 2016 – Six (6)
- 2017 – One (1)

No trend was recognized during this audit. The cause of the preventable collisions are indicated below:

- 2 Inattention
- 1 Following too closely
- 1 Unsafe speed
- 1 Unsafe backing
- 2 Unsafe turning movement
- 1 Unsafe lane change

Personnel Administration Bureau sends employees that have been involved in more than one traffic collision to related Department training, such as the Sheriff Traffic Accident Reduction (S.T.A.R.) driving program, Emergency Vehicle Operations training, and/or the Alternatives to Discipline Driving Course.

Starting January 1, 2019, Personnel Administration will be utilizing a new statistical tracking database that will enable administrative staff to more easily identify risk management issues and trends. Utilizing this data on a regular basis, Personnel Administration will be able to mitigate liability, take preventative measures, and reduce risk.




County of Los Angeles  
Summary Corrective Action Plan

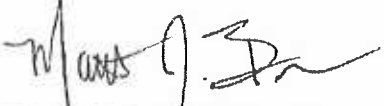
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3. Are the corrective actions addressing Department-wide system issues?


- Yes – The corrective actions address Department-wide system issues.  
 No – The corrective actions are only applicable to the affected parties.

**Los Angeles County Sheriff's Department**

<b>Name: (Risk Management Coordinator)</b>  Dana A. Chemintzer, A/Captain Risk Management Bureau	
<b>Signature:</b>  	<b>Date:</b>  1-31-19

<b>Name: (Department Head)</b>  Matthew J. Burson, Chief Professional Standards and Training Division	
<b>Signature:</b>  	<b>Date:</b>  02/04/19

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>
Are the corrective actions applicable to other departments within the County?  <input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input type="checkbox"/> No, the corrective actions are applicable only to this Department.

<b>Name: (Risk Management Inspector General)</b>  Destiny Castro	
<b>Signature:</b>  	<b>Date:</b>  2/5/2019

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	George Halgrims v. County of Los Angeles, et al.
CASE NUMBER	BC 622856
COURT	Los Angeles Superior Court
DATE FILED	June 3, 2016
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 585,000
ATTORNEY FOR PLAINTIFF	Lauri L. Brenner, Esq. Alderlaw, PC
COUNTY COUNSEL ATTORNEY	Adrian Gragas Principal Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on September 15, 2015, between Firefighter/Paramedic Phillip Viramontes and Plaintiff George Halgrims.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$585,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 104,597
PAID COSTS, TO DATE	\$ 54,010

Case Name: George Kerry Halgrims v. County of Los Angeles, et al. (BC822856)



## 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:	September 15, 2015
Briefly provide a description of the incident/event:	<p>On September 15, 2015, a Fire Fighter (FF) was responding to an emergency call with lights and sirens activated. The FF and Plaintiff were both travelling southbound on Sierra Highway. Plaintiff pulled over to a stop near the intersection of Whispering Leaves Drive in response to the lights and sirens.</p> <p>As the FF approached the intersection of Whispering Leaves Drive, he drove in lane 1 around stopped vehicles in order to execute a right turn onto Whispering Leaves Drive. The FF deactivated the sirens after he made the right-hand turn.</p> <p>Plaintiff did not see or hear lights and sirens, and thus continued travelling southbound on Sierra Highway. The FF and Plaintiff's vehicles collided with one another, causing damage to the left side of Plaintiff's vehicle. The FF's vehicle was estimated to have been traveling at 5 miles per hour. Plaintiff was traveling at an estimated 10 to 25 miles per hour.</p> <p>Plaintiff complained of neck and back pain, and was transported to the hospital.</p>

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

The FF failed to operate his vehicle in a safe manner by turning at the intersection without clearing all the lanes and by deactivating the sirens prior to arriving at his destination.

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

1. The Department initiated an internal investigation into this incident on March 30, 2016. As a result of the investigation, the FF received a Letter of Reprimand for making an unsafe turn and deactivating the sirens while responding to a call. The Letter of Reprimand has been filed in his Official Personnel File. The North Regional Operations Bureau was responsible and this was completed on August 31, 2016.

County of Los Angeles  
Summary Corrective Action Plan

2. The FF completed a four to five hour driver enrichment training covering defensive driving, accident avoidance, and driver safety techniques on December 14, 2018. The Leadership and Professional Standards Bureau was responsible.

3. Are the corrective actions addressing department-wide system issues?
- Yes – The corrective actions address department-wide system issues.
- No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)  
Betty Karmirian

Signature: *Betty Karmirian* Date: 12/31/18

Name: (Department Head)  
Daryl L. Osby

Signature: *Daryl L. Osby* Date: 01/11/19

**Chief Executive Office Risk Management Inspector General USE ONLY**

Are the corrective actions applicable to other departments within the County?

Yes, the corrective actions potentially have County-wide applicability.

No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)  
Destiny Castro

Signature: *Destiny Castro* Date: 1/15/2019

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Michelle Gomez, Roberto Gonzalez v. County of Los Angeles, Thomas Flores.
CASE NUMBER	BC 645050
COURT	Los Angeles Superior Court
DATE FILED	December 27, 2016
COUNTY DEPARTMENT	Department of Public Social Services
PROPOSED SETTLEMENT AMOUNT	\$ 67,500
ATTORNEY FOR PLAINTIFF	Rodrigo Suarez, Esq. The Dominguez Law Firm
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas, Principal Deputy County Counsel
NATURE OF CASE	On April 14, 2016, Plaintiffs allege that while stopped westbound at the intersection of Firestone Boulevard and Pioneer Boulevard in the City of Commerce, they were rear-ended by Department of Public Social Services employee Thomas M. Flores in a delivery truck.
PAID ATTORNEY FEES, TO DATE	\$ 23,551
PAID COSTS, TO DATE	\$ 8,177

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 4, 2019

**1. Call to Order.**

This meeting of the County of Los Angeles Claims Board was called to order at 9:31 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: Kelsey Nau, David Lee, Jessica Rivas, Richard Hsueh, Millicent Rolon, Caroline Craddock, Eduardo Montelongo, Donna Koch, and Craig Hoetger; Board of Supervisors: Lisa Mandel; Department of Animal Care and Control: Harold Holmes; Sheriff Department: Greg Minster, Christopher Reed, Ronald Shaffer, Kevin Percy, Reginald Louie, Mark Allen, and Bruce Chase; Department of Health Services: Nick Teophilov, Elizabeth Augusta, and Karen White; Probation Department: Chereise Simmons; Department of Public Social Services: Simone Agee.

**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(j) below.

**4. Report of actions taken in Closed Session.**

At 11:30 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Claims of Levon A. Gukasyan, Levon Haik Gukasyan, Anthony Gevorkan, and Progressive Select Insurance ASO Armen Gukasyan**

These claims arise from damages and injuries allegedly sustained in a vehicle accident involving an employee from the Board of Supervisors.

Action Taken:

The Claims Board approved the settlement of these claims in the amount of \$36,939.03.

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

b. **Zinash Kassa v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 633 484**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an employee from the Board of Supervisors and a pedestrian.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$29,999.

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

c. **Margaret Gacquindo, et al. v. Los Angeles County Department of Animal Care and Control.**  
**Los Angeles Superior Court Case No. MC 027 098**

This dangerous condition lawsuit arises from an alleged trip and fall at the Lancaster Animal Shelter.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$99,999.

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

d. **Roney Coffman v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 653 479**

This lawsuit arises from damages and injuries allegedly sustained in a vehicle accident involving an on-duty Sheriff's Sergeant.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$95,000.

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

e. **Tammy Cameron v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:15-CV-00774**

This lawsuit alleges Plaintiff was falsely arrested based on a warrant for someone else and subsequently prosecuted for a crime she did not commit.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$75,000.

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

f. **Dolores Perez v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:17-CV-01630**

This lawsuit alleges federal civil rights violations, and wrongful death arising from the fatal shooting of Plaintiff's son.

**Action Taken:**

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$600,000.

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

g. **Samuel Caldwell, et al. v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:18-CV-6906**

This lawsuit alleges deliberate indifference to the medical needs on an inmate while in the custody of the Sheriff's Department and also while he was a patient at one of the facilities operated by the Department of Health 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

h. **Claim of Adam Martinez**

This lawsuit concerns allegations that an employee of the Department of Health Services was wrongfully terminated.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$100,000.

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

i. **Christine Mejia v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 653 194**

This lawsuit concerns allegations that an employee from the Probation Department was subjected to harassment based on sexual orientation and that the Department failed to prevent the harassment.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$40,000.

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



**j. Sharese Mizakhanyan v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 664 424**

This lawsuit concerns allegations by an employee from the Department of Public Services of disability discrimination, retaliation, and failure to make a reasonable accommodation and to engage in the interactive process.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$130,000.

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

**5. Approval of the minutes of the February 4, 2019, 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 11:31 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By   
Sandra C. Ruiz