

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, DECEMBER 16, 2019, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, with Adrienne Byers being absent.

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. Julie Valencia v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC670908

This lawsuit concerns allegations of an Alternate Public Defender employee who alleges sexual harassment by a co-worker.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$275,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

- b. Renee Lawler, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. NC061674

This claim seeks compensation from the Los Angeles County Flood Control District for damage to real and personal property alleged to have occurred during significant rainstorms in 2017.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

c. **Jose Bustamante v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC681360

This lawsuit arises from injuries allegedly sustained in a motor vehicle accident involving an Agricultural Commissioner/Weights and Measures employee.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

d. **Robert Lindsey, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 2:17-CV-03886

This lawsuit alleges federal civil rights violations in which Sheriff's Deputies claim they were selectively prosecuted for filing false police reports when other law enforcement officers similarly situated were not prosecuted.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,250,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

e. **Chance Nikkol Denovo v. County of Los Angeles, et al.**
United States District Court Case No.: 2:18-CV-06589

This lawsuit seeks compensation for unlawful detainment by Sheriff's Deputies.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$49,999.99.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

f. **Gregory Anthony Lanier v. County of Los Angeles, et al.**
United States District Court Case No. 17-CV-09019-R (AGR)

This lawsuit concerns allegations of excessive force by a Sheriff's Deputy on an incarcerated inmate.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$220,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Documents](#)

g. **Jolene Corrales v. County of Los Angeles, et al.**
United States District Court Case No. 2:19-CV-00258

This lawsuit concerns allegations of excessive force by two Sheriff's Deputies from an arrest during a traffic stop.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$47,500.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

h. **Medina, Jesse v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC645782

This lawsuit seeks compensation for unlawful detainment and excessive force by Sheriff's Deputies.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$96,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

i. **Kanae Williams v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No.: BC 664404

This lawsuit concerns allegations of negligence, invasion of privacy, retaliation, and intentional infliction of emotional distress against the Department of Children and Family Services.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

j. **Claim of Yolanda Montes, et al.**

This lawsuit alleges violation of a patient's privacy of medical records and infliction of emotional distress.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$225,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[See Supporting Document](#)

k. **Wanda Jimenez v. County of Los Angeles**
Los Angeles Superior Court Case No.: BC589762

This matter concerns an award of attorneys' fees and costs arising from an adverse jury verdict in a sexual harassment lawsuit filed by a Probation Department employee.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,000,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

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 18, 2019, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

[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	Renee Lawler, et al. v. County of Los Angeles, et al.
CASE NUMBER	NC061674
COURT	Governor George Deukmejian Courthouse
DATE FILED	3/6/2018
COUNTY DEPARTMENT	Los Angeles County Flood Control District
PROPOSED SETTLEMENT AMOUNT	\$ 60,000
ATTORNEY FOR PLAINTIFF	Cole F. Morgan, Madden Jones Cole & Johnson
COUNTY COUNSEL ATTORNEY	Rosa Linda Cruz, Senior Deputy County Counsel Gregory Bergman, Bergman Dacey & Goldsmith
NATURE OF CASE	Action for inverse condemnation, nuisance, and dangerous condition of public property. Plaintiffs claim that the Los Angeles County Flood Control District and City of Long Beach did not properly maintain their respective facilities or properties located along the Los Angeles River in Long Beach and adjacent to the Plaintiffs' home. Plaintiffs claim these failures led to over \$1 million in damages to their personal and real property when the Plaintiffs' property was flooded during significant rainstorms in January and February 2017.
PAID ATTORNEY FEES, TO DATE	\$ 338,787
PAID COSTS, TO DATE	\$ 29,625

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jose Bustamante v. County of Los Angeles, et al.
CASE NUMBER	BC681360
COURT	Los Angeles Superior Court
DATE FILED	October 26, 2017
COUNTY DEPARTMENT	Agricultural Commissioner/Weights and Measures
PROPOSED SETTLEMENT AMOUNT	\$ 45,000
ATTORNEY FOR PLAINTIFF	Robert Balbuena, Balbuena Legal
COUNTY COUNSEL ATTORNEY	Michael J. Gordon, County Counsel George L. Mallory, Jr., George L. Mallory, Jr. & Associates
NATURE OF CASE	On August 22, 2016, Plaintiff Jose Bustamante was rear-ended by a County Agricultural Commissioner/Weights and Measures employee while traveling on Interstate 5 near Hollywood Way in the City of Burbank. Mr. Bustamante allegedly sustained injuries as a result of the collision.
PAID ATTORNEY FEES, TO DATE	\$ 11,800
PAID COSTS, TO DATE	\$ 4,808

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Robert Lindsey, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:17-CV-03886
COURT	United States District Court
DATE FILED	June 26, 2017
COUNTY DEPARTMENT	Sheriff's Department and District Attorney's Office
PROPOSED SETTLEMENT AMOUNT	\$ 2,250,000
ATTORNEY FOR PLAINTIFF	Ronald Kaye, Esq.
COUNTY COUNSEL ATTORNEY	Timothy Kral Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,250,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit in which Sheriff's Deputies Robert G. Lindsey and Charles G. Rodriguez allege they were selectively prosecuted for filing false police reports when other law enforcement officers similarly situated were not prosecuted.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$2,250,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ \$469,462
PAID COSTS, TO DATE	\$ 4,081

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Chance Nikkol Denovo v. County of Los Angeles, et al.
CASE NUMBER	2:18-CV-06589
COURT	United States District Court
DATE FILED	August 01, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 49,999.99
ATTORNEY FOR PLAINTIFF	Malosack Berjis, Esq.
COUNTY COUNSEL ATTORNEY	Timothy J. Kral, Principal Deputy County Counsel
NATURE OF CASE	<p>Plaintiff Chance Nikkol Denovo alleges her civil rights were violated when Sheriff's Deputies needlessly prolonged her detention to investigate her status as a member of the United States Navy without independent reasonable suspicion of a potential crime.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$49,999.99 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 25,979
PAID COSTS, TO DATE	\$ 1,240

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gregory Anthony Lanier v. County of Los Angeles, et al.
CASE NUMBER	17-CV-09019-R (AGR)
COURT	United States District Court
DATE FILED	May 10, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 220,000
ATTORNEY FOR PLAINTIFF	Morris Law Firm, APC.
COUNTY COUNSEL ATTORNEY	Timothy J. Kral, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a federal civil rights lawsuit filed by Gregory Anthony Lanier alleging that a Deputy used excessive force against him in October 2017 while he was incarcerated at Twin Towers Correctional Facility.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$220,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 39,457
PAID COSTS, TO DATE	\$ 6,090

Case Name: Gregory Lanier V. County of Los Angeles

County of Los Angeles
Summary Corrective Action Plan



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:	October 4, 2017
Briefly provide a description of the incident/event:	<ul style="list-style-type: none">On October 4, 2017, a deputy assigned to Twin Towers Correctional Facility (TTCF) was involved in a use of force incident with the Plaintiff. During the incident, the deputy used a take-down technique that resulted in an injury to the Plaintiff.

Case Name:	Gregory Lanier V. County of Los Angeles
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County of Los Angeles
Summary Corrective Action Plan

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

The primary **Department** root cause in this incident was the tactics used by a deputy sheriff before and during a use of force incident that resulted in injury to the Plaintiff.

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

Training

- After this incident, executives from the Sheriff's Department Custody Division recognized the tactics used by the deputy in this incident could have been better. As a result of this finding, supervisors at TTCF instructed the training staff to conduct briefings on force related policy and de-escalation tactics on all shifts.

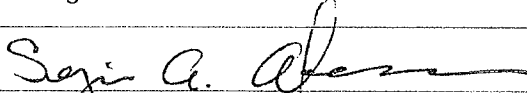
Administrative Action


- After administrative review of this use of force, the deputy sheriff involved in this incident was scheduled and attended force and tactics training.

Responsible person: Assistant Sheriff Assistant Robert Olmsted

Case Name:	<u>Gregory Lanier V. County of Los Angeles</u>
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County of Los Angeles
Summary Corrective Action Plan


Name: (Risk Management Coordinator) Commander Sergio A. Aloma	
Signature: 	Date: 12/4/19

Name: (Department Head) Chief Joseph Dempsey	
Signature: 	Date: 12-5-19

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) CEO Destiny Castro	
Signature: 	Date: 12/4/2019

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jolene Corrales v. County of Los Angeles, et al.
CASE NUMBER	2:19-CV-00258
COURT	United States District Court
DATE FILED	January 14, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 47,500
ATTORNEY FOR PLAINTIFF	Gregory Peacock, Esq.
COUNTY COUNSEL ATTORNEY	Richard Hsueh Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$47,500, inclusive of attorneys' fees and costs, this federal civil rights lawsuit filed by Jolene Corrales ("Plaintiff") against the County and two Sheriff's Department ("LASD") Deputies.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$47,500 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 25,266
PAID COSTS, TO DATE	\$ 868

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jesse Medina v. County of Los Angeles, et al.
CASE NUMBER	BC645782
COURT	Los Angeles Superior Court
DATE FILED	January 3, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 96,000
ATTORNEY FOR PLAINTIFF	Todd D. Thibodo, Esq.
COUNTY COUNSEL ATTORNEY	Richard Hsueh, Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$96,000, inclusive of attorneys' fees and costs, this State-law torts and civil rights lawsuit filed by Plaintiff Jesse Medina against the County and two Sheriff's Department Deputies in connection with his detention during a foot pursuit of a stolen vehicle suspect.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$96,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 46,098
PAID COSTS, TO DATE	\$ 19,134

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Yolanda Montes, et al.
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 225,000
ATTORNEY FOR PLAINTIFF	David Smith, Esq. Cambell Smith Law
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian, Esq. Principal Deputy County Counsel
NATURE OF CASE	<p>On July 20, 2012, Maria Montes suffered a heart attack and was taken to LAC+USC Medical Center Emergency Department. Her death was recorded and depicted in a film. Ms. Montes' family claimed the family did not consent to the filming or release of Ms. Montes' medical records. They also claimed infliction of emotional distress.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement amount of \$225,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 7,065
PAID COSTS, TO DATE	\$ 6,450

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

NOVEMBER 18, 2019

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:40 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, with Adrienne Byers being absent.

Other persons in attendance at the meeting were: Office of the County Counsel: Rosa Linda Crus, Michael Gordon, Yuan Chang, and Anthony Morrone; Department of Public Works: Mark S. Caddick; Fire Department: Julia Kim, Sandra Kessler, and Noble Robinson; Sheriff's Department: James Tatreau, Kevin Percy, and Kristine Corrales; Department of Department of Public Health: Nichole Alcaraz; Probation Department: Vicky Santana.

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 9:42 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(h).

4. Report of actions taken in Closed Session.

At 10:50 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Claim of National Demolition Contractors

This breach of contract claim seeks damages against the Department of Public Works – Flood Control District.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

**b. Jennifer Alden v. County of Los Angeles, et al.
Los Angeles Superior Court Case No.: 19AVCV00205**

This lawsuit arises from injuries allegedly sustained in a multi-vehicle accident involving a Fire Department employee.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

**c. Diane Vasquez-Whetsell vs. Sandy Ochoa, et al.
Los Angeles Superior Court Case No.: BC 676374**

This lawsuit arises from a motor vehicle collision involving a Sheriff's Department marked patrol vehicle driven by a Deputy.

Action Taken:

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

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

**d. German Cardona v. County of Los Angeles, et al.
Los Angeles Superior Court Case No.: BC 686689**

This lawsuit arises from a vehicle collision involving a Department of Public Health employee.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$23,500.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

**e. Kanae Williams v. County of Los Angeles, et al.
Los Angeles Superior Court Case No.: BC 664404**

This lawsuit concerns allegations of negligence, invasion of privacy, retaliation, and intentional infliction of emotional distress against the Department of Children and Family Services.

Action Taken:

The Claims Board continued this item to a future meeting date.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

f. **Cheryl Jackson-Wilson v. COLA, et al.**
Los Angeles County Civil Service Commission Case No.: 15-329

This is a Civil Service Commission appeal filed by a former employee of the Probation Department claiming age discrimination.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$62,743.63.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

5. **Approval of the Minutes of the November 4, 2019, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

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 10:52 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By  _____
Vivian Caballero