

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, APRIL 7, 2008, AT 8:00 AM

Present: Maria M. Oms, Rocky Armfield and John Krattli

The following items were presented to the Claims Board for consideration and the Claims Board took actions as indicated in bold.

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. Jerry Thomas v. County of Los Angeles
Los Angeles Superior Court Case No. BC 361 432

This lawsuit concerns allegations of the use of excessive force by a Sheriff's Deputy.

Action Taken

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

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Ronald Verdekel, Estate of Heidi Verdekel, et al. v. County of Los Angeles
U.S. District Court Case No. CB 06-01518 JFW

This wrongful death lawsuit arises from medical treatment provided at the Los Angeles County Jail and LAC+USC Medical Center.

[See Supporting Documents](#)

Action Taken:

This matter was continued to the next Claims Board meeting.

Absent: None

Vote: Unanimously carried

- c. Ramon Martin Garcia v. County of Los Angeles
Los Angeles County Superior Court Case No. BC 332 410

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at LAC+USC Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$950,000, plus the assumption of the Medi-Cal lien in the amount of \$424,166.25 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.

Absent: None

Vote: Unanimously carried

[See Supporting Document](#)

- d. Daniella Sanders v. County of Los Angeles
Los Angeles Superior Court Case No. BC 361 113

This lawsuit concerns allegations that an employee of a temporary contract agency was sexually harassed by an employee of the Probation Department.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$195,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Probation Department's budget.

Absent: None

Vote: Unanimously carried

- e. Paul Husson v. County of Los Angeles
Los Angeles Superior Court Case No. BC 357 368

This lawsuit concerns allegations that an employee of the Department of Public Health was subjected to discrimination and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$275,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Health's budget.

Absent: None

Vote: Unanimously carried

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 for the March 3, 2008, meeting of the Claims Board and the Minutes for the March 24, 2008, special meeting of the Claims Board.

Action Taken:

The Minutes for the March 3, 2008, meeting of the Claims Board were approved and the Minutes for the March 24, 2008, special meeting of the Claims Board were approved.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

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	Jerry Thomas v. County of Los Angeles
CASE NUMBER	BC 361432
COURT	Los Angeles Superior Court, Central District
DATE FILED	November 6, 2006
COUNTY DEPARTMENT	Sheriff's Department General Fund
PROPOSED SETTLEMENT AMOUNT	\$40,000
ATTORNEY FOR PLAINTIFF	Brian T. Dunn
COUNTY COUNSEL ATTORNEY	Terry Anne Woodward
NATURE OF CASE	<p>On March 19, 2006, Plaintiff was incarcerated at Twin Towers. While receiving medication, Plaintiff became upset when he dropped his pills, and a Deputy thought he was about to attack the nurse. The Plaintiff hit his head when the Deputy pushed him to the ground. Later that evening, he was observed to be lethargic and was transported to the hospital where he underwent brain surgery for a subdural hematoma.</p> <p>The case was thoroughly evaluated, discovery was conducted, and medical records were obtained. Due to the risks</p>

and uncertainties of litigation, a full and final settlement of the case in the amount of \$40,000 is recommended.

PAID ATTORNEY FEES, TO DATE	\$24,576
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PAID COSTS, TO DATE	\$2,537
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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:	<p style="text-align: center;"><u>Jerry Thomas v. County of Los Angeles</u> (Summary Corrective Action Plan #2008-002)</p> <p style="text-align: center;">Sunday, March 19, 2006</p>
Briefly provide a description of the incident/event:	<p>The plaintiff was an inmate incarcerated at the Los Angeles County Sheriff's Department's Twin Towers Correctional Facility.</p> <p>On Sunday, March 19, 2006, the plaintiff was seated in a medical area waiting to receive his medication. When he spilled a cup of water on the floor, the attending nurse turned to retrieve another cup. As she turned away, the plaintiff became visibly agitated and yelled, "I don't want to take my medication." He stood up and lunged at the nurse. A Los Angeles County deputy sheriff, who was nearby and providing security for the unarmed representative of the medical staff, feared the plaintiff was about to physically attack the nurse. He intervened by pushing the plaintiff away from himself and the nurse. The plaintiff fell to the floor, landing on his back.</p>

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

In defense of the nurse, the Los Angeles County deputy sheriff pushed the plaintiff to the floor. As a result of the fall, the plaintiff sustained a small abrasion to the area adjacent to the right side of the right eyebrow (although during a later interview/examination with medical personnel, the plaintiff claimed to have received the abrasion in an "altercation." He also denied dizziness and no other visible injuries were noted).

Although the plaintiff was scheduled to receive a subsequent examination by medical personnel, later that evening he was observed to be lethargic. He was subsequently transported to a medical facility where he underwent brain surgery.

County of Los Angeles
Summary Corrective Action Plan

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

During the subsequent administrative investigation, it was concluded that the level of physical force used upon the plaintiff in response to his irrational and threatening actions was reasonable, justified, and within the guidelines established by the Los Angeles County Sheriff's Department.

No employee misconduct is alleged. No corrective action measures are contemplated.

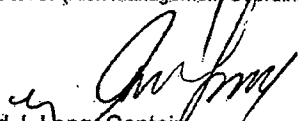

The recommendation to settle this case is made strictly as a business decision. A full and final settlement at this time will avoid further litigation expenses and a potential jury verdict which may exceed the recommended settlement amount.

RECOMMENDED SETTLEMENT AMOUNT: \$40,000.

This summary corrective action plan has no countywide implications (refer to #3 below).

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 County-wide implications.
- Potentially has implications 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.

Signature: (Risk Management Coordinator)  David J. Long, Captain Risk Management Bureau	Date: 3-25-08
Signature: (Department Head)  Larry L. Waldie Undersheriff	Date: 3/26/08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ronald Verdekel, Estate of Heidi Verdekel, et al. v. County of Los Angeles
CASE NUMBER	CV 06-01518 JFW
COURT	U.S. District Court
DATE FILED	March 10, 2006
COUNTY DEPARTMENT	Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$595,000.00
ATTORNEY FOR PLAINTIFF	Sonia Mercado, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This is a civil lawsuit brought by Ronald Verdekel, Laura Nielson, and the Estate of Heidi Verdekel, for the death of their 29-year-old daughter, Heidi Verdekel, who died on March 14, 2005.</p> <p>Ms. Verdekel, who had a long history of epileptic seizures, was arrested and taken into the custody of the Los Angeles County Sheriff's Department. She was placed at Twin Towers.</p>

While at the Twin Towers, she was evaluated and was placed on an anti-seizure medication. Ms. Verdekel, however, suffered from epileptic seizures and was subsequently transferred to LAC+USC Medical Center.

While at LAC+USC Medical Center, Ms. Verdekel's medical condition was complicated with infection. She died on March 14, 2005 at LAC+USC Medical Center.

Although the County will assert that the proper medical treatment was provided to Ms. Verdekel, the plaintiffs will argue that Ms. Verdekel's medical condition was not appropriately managed while she was under care of the County of Los Angeles. Thus, the Los Angeles County Sheriff's Department agreed to propose a settlement of this case in the amount of \$595,000.00. Specifically, the plaintiffs allege a violation of Ms. Verdekel's civil rights in that Sheriff personnel were deliberately indifferent to Ms. Verdekel's medical condition, by failing to monitor and treat her seizure condition, failing to provide her with proper and sufficient medications, and failing to transfer her to LAC+USC sooner.

PAID ATTORNEY FEES, TO DATE	\$251,900.00
PAID COSTS, TO DATE	\$70,860.00



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:	March 14, 2005 In custody death
Briefly provide a description of the incident/event:	Medical papers from a board and care facility were not received at the time the patient was evaluated by a physician upon intake into the Los Angeles County Sheriff's Department facility.

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

This patient did not receive the same medication or dosage that she had been taking prior to incarceration as information was not received upon intake on February 23, 2005. On February 24, 2005, she developed seizures and was sent to LAC + USC Medical Center where she remained until her death on March 14, 2005.

County of Los Angeles
Summary Corrective Action Plan



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

In December 2007, a Medical Services policy was revised to define the processing of medical information from the booking process.

In December 2007, the screening form used during the booking process was modified to identify those patients who arrive from medical care facilities.

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 County-wide implications.
- Potentially has implications 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.

Signature: (Risk Management Coordinator) 	Date: 02-25-08
Signature: (Department Head) 	Date: 3-3-08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ramon Martin Garcia v. County of Los Angeles
CASE NUMBER	BC 332410
COURT	Los Angeles County Superior Court, Los Angeles
DATE FILED	April 23, 2005
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$950,000, plus the assumption of the Medi-Cal lien in the amount of \$424,166.25
ATTORNEY FOR PLAINTIFF	Michael Dan, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This is a medical malpractice lawsuit brought by Ramon Martin Garcia, for the injuries that he suffered while admitted at LAC+USC Medical Center.</p> <p>Specifically, Mr. Garcia (19 years old), was admitted to LAC+USC for a gunshot to his neck and side. The gunshot to his neck left him paralyzed in his lower</p>

extremities and weakened in his upper extremities. Several days after admission, he underwent surgery to stabilize his cervical spine due to damaged caused by the gunshot to his side. After that operation, Mr. Garcia exhibited injury to his brain leaving him with severe cognitive impairments and limited speech, and almost complete loss of the use of his upper extremities.

Although the County will assert that the proper medical treatment was provided to Mr. Garcia, the plaintiff will argue that the staff at LAC+USC Medical Center were negligent in performing the surgery in question by causing or allowing lack of oxygenation to his brain. Considering the risks involved in a jury trial, including the potential exposure given Mr. Garcia's ongoing medical expenses, the Department of Health Services agreed to propose a settlement of this case in the amount of \$950,000, plus the assumption of the Medi-Cal lien in the amount of \$424,166.25.

PAID ATTORNEY FEES, TO DATE	\$166,953
PAID COSTS, TO DATE	\$120,561



Summary Corrective Action Plan

Date of incident/event:	May 12, 2004
Briefly provide a description of the incident/event:	On May 2, 2004, Ramon Garcia, a 19-year-old male, suffered a gunshot to his neck and was taken to the LAC+USC Emergency Department. He had a significant injury to his left carotid artery and immediately underwent an operation to repair the injury. On May 12, 2004, he was taken back to surgery to stabilize his spine. Following the surgery Mr. Garcia's mental status was changed and he did not follow commands.

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

Risk of Res Ipsa

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


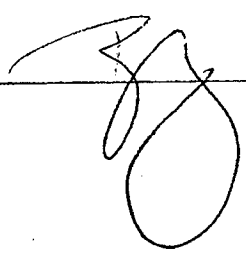
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3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

Potentially has County-wide implications.

Potentially has implications 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.

Signature: (Risk Management Coordinator) 	Date: 4/4/08
Signature: (Department Head) 	Date: 4/8/07

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 3, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:07 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Stephen Morris, Roger Granbo, Brian Chu, and Jerry Custis; Office of Affirmative Action: Hayward Harris; Department of Health Services: David Cochran; Probation Department: Tracy Jordon-Johnson; Sheriff's Department: Patrick Hunter and Rob Taliento; Registrar-Recorder/County Clerk: Kathleen Connors, Ann Smith, Johnny Harrington, and Tim McNamara; Outside Counsel: Nohemi G. Ferguson of Gutierrez, Preciado & House, LLP, and Patrick Hurley of Manning Marder, Kass Ellrod Ramirez.

No members of the public addressed the Claims Board.

At 8:14 a.m., the Chairperson adjourned the meeting into closed session. At 10:03 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Daniella Sanders v. County of Los Angeles
Los Angeles Superior Court Case No. BC 361 113

This lawsuit concerns allegations that an employee of the Department of Probation was subjected to sexual harassment.

This matter was continued to the next Claims Board meeting.

The vote of the Claims Board was unanimous with all members being present.

- b. Loretta Borunda v. County of Los Angeles
Los Angeles Superior Court Case No. BC 367 078

This lawsuit concerns allegations that the Department of Health Services failed to engage in an interactive process or provide reasonable accommodation for a disabled employee.

This matter was continued to the next Claims Board meeting.

The vote of the Claims Board was unanimous with all members being present.

c. Claim of Daniel Lopez

This claim concerns allegations that the Lennox Sheriff's Station lacked an accessible entry ramp in violation of the Americans with Disabilities Act.

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

The vote of the Claims Board was unanimous with all members being present.

d. Daniel and Florence Gam v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. LC 074 037

This lawsuit seeks compensation for injuries received from a motor vehicle accident involving an employee of the Sheriff's Department.

The Claims Board approved settlement of this matter. The substance of the above-settlement will be disclosed upon inquiry by any person as soon as the settlement becomes final following approval by all parties.

The vote of the Claims Board was unanimous with all members being present.

e. Alberto Bratslavsky v. Broadway View Retirement Hotel, et al.
Los Angeles Superior Court Case No. EC 042 390

This lawsuit arises from injuries received from a slip and fall at Broadview Residential Care Center, Glendale.

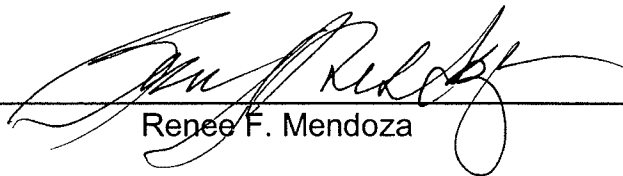
The Claims Board approved settlement of this matter in the amount of \$32,500.

The vote of the Claims Board was unanimous with all members being present.

Minutes for the February 4, 2008, meeting of the Claims Board, and the February 21, 2008, special meeting of the Claims Board were approved.

There being no further business, the meeting was adjourned at 10:10 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By  _____
Renee F. Mendoza

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF SPECIAL MEETING

March 24, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:10 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Mary Wickham, Stephen Morris, Richard Brouwer, Edwin Lewis, and Brian Chu; Office of Affirmative Action: Hayward Harris; Department of Public Social Services: Philip Browning, Director, Joyce Washington, Mary Sherman-Jones, Rudy Frank; Department of Health Services: David Cochran; Probation Department: Tracy Jordan-Johnson; Department of Public Works: Allan Abramson, and David Pedersen; Internal Services Department: Gretchen Pieper; Outside Counsel: Jeffrey M. Hausman of Hausman and Sosa, LLP, Calvin House of Gutierrez, Preciado & House, LLP, and J. Peter Fiske of Duncan McCreary.

No members of the public addressed the Claims Board.

At 8:11 a.m., the Chairperson adjourned the meeting into closed session. At 11:05 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Sylvia Gasparyan v. County of Los Angeles
EEOC Case No. 480-2007-20572

This matter concerns allegations that an employee of the Department of Public Social Services was subjected to discrimination and retaliation.

The Claims Board approved settlement of this matter. The substance of the above-settlement will be disclosed upon inquiry by any person as soon as the settlement becomes final following approval by all parties.

The vote of the Claims Board was unanimous with all members present.

- b. Hasmik Taranian v. County of Los Angeles
EEOC Case No. 80-2007-23556

This matter concerns allegations that an employee of the Department of Public Social Services was subjected to discrimination and retaliation.

The Claims Board approved settlement of this matter. The substance of the above-settlement will be disclosed upon inquiry by any person as soon as the settlement becomes final following approval by all parties.

The vote of the Claims Board was unanimous with all members present.

- c. Loretta Borunda v. County of Los Angeles
Los Angeles Superior Court Case No. BC 367 078

This lawsuit concerns allegations that the Department of Health Services failed to engage in an interactive process or provide reasonable accommodation for a disabled employee.

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$220,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.

The vote of the Claims Board was unanimous with all members being present.

- d. Gloria Gallardo v. Los Angeles County Sheriff's Department
Los Angeles Superior Court Case No. BC 359 788

This lawsuit concerns allegations that an employee of the California Department of Justice was subjected to sexual harassment by a Sheriff's Department employee.

The Claims Board approved settlement of this matter. The substance of the above-settlement will be disclosed upon inquiry by any person as soon as the settlement becomes final following approval by all parties.

The vote of the Claims Board was unanimous with all members present.

- e. Migliaccio & Welsh v. County of Los Angeles
Los Angeles Superior Court Case No. BC 317 071

This lawsuit concerns allegations that two employees of the Probation Department were subjected to workplace harassment.

This matter was continued to the next Claims Board meeting.

The vote of the Claims Board was unanimous with all members present.

- f. Claim of Southern California Edison

This claim seeks compensation for property damage caused by a broken water main located along Pacific Coast Highway.

The Claims Board approved settlement of this matter. The substance of the above-settlement will be disclosed upon inquiry by any person as soon as the settlement becomes final following approval by all parties.

The vote of the Claims Board was unanimous with all members being present.

- g. Turhan Armstrong v. County of Los Angeles
Los Angeles Superior Court Case No. BC 355 762

This lawsuit seeks compensation for personal injuries sustained in a vehicle accident with an employee of the Internal Services Department.

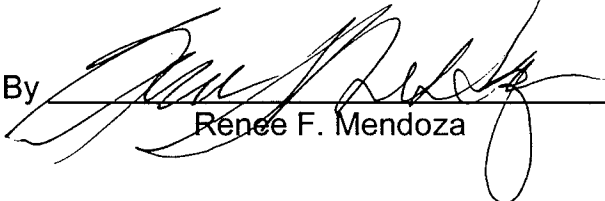
The Claims Board approved settlement of this matter in the amount of \$50,000.

The vote of the Claims Board was unanimous with all members being present.

There being no further business, the meeting was adjourned at 11:10 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza