

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 17, 2007, 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. Keisha Scott v. County of Los Angeles
Los Angeles Superior Court Case No. BC 317 082

This lawsuit concerns allegations of sexual harassment by an employee of the Sheriff's Department.

Action Taken:

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

Absent: None

Vote: Unanimously carried

- b. Maria Marquez, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. TC 018 702

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at Harbor UCLA Medical Center.

Action Taken

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

- c. County of Los Angeles v. Sandra Shewry and State Department of Health Services
Los Angeles Superior Court Case No. BS 107385

This lawsuit concerns payments under the State Medi-Cal Program.

Action Taken:

The Claims Board approved settlement of this matter whereby the County will receive approximately \$40,342 as set forth in the Claims Board memorandum.

Absent: None

Vote: Unanimously carried

See Supporting Document

d. Claim of Lenore Almanzar

This claim seeks compensation for property damage caused by a sewer back-up.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$26,125.

Absent: None

Vote: Unanimously carried

See Supporting Documents

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 December 3, 2007, meeting of the Claims Board.

Action Taken:

The Minutes of December 3, 2007, were approved.

Absent: None

Vote: Unanimously carried

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	Maria Marquez and Ruben Marquez v. County of Los Angeles
CASE NUMBER	TC018702
COURT	Los Angeles County Superior Court South Central District
DATE FILED	March 4, 2005
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$250,000.00
ATTORNEY FOR PLAINTIFF	Eric Seuthe, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This is a medical malpractice case brought by Maria Marquez and her husband, Ruben Marquez, against the County of Los Angeles for the injuries suffered by Maria Marquez at Harbor/ UCLA Medical Center ("HUMC").</p> <p>On June 7, 2004, Maria Marquez, underwent a surgical procedure on her back at HUMC. To prepare the patient for the surgery, HUMC personnel</p>

intubated the patient. The intubation procedure was difficult, and plaintiffs' allege that, the patient's pharynx was injured during that procedure and there was a delay by medical staff in recognizing the injury.

Parties actively litigated this case and conducted extensive discovery to determine the cause and extent of plaintiffs' injuries and damages. The Department of Health Services agreed to propose a full and final settlement of this case in the amount of \$250,000.

PAID ATTORNEY FEES, TO DATE	\$83,349.00
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PAID COSTS, TO DATE	\$34,293.00
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Summary Corrective Action Plan

Date of incident/event:	June 7, 2004
Briefly provide a description of the incident/event:	Maria Marquez, a 55 year old woman, underwent a spinal procedure on June 7, 2004. Post-operatively it was identified that Ms. Marquez sustained an esophageal perforation as a result of the intubation and developed an infection. She was treated and transferred to LAC+USC for subsequent management.

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

Delay in diagnosing complications of traumatic intubation.

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

- All appropriate personnel corrective actions have been taken.

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:
	12/3/07
Signature: (Senior Medical Director)	Date:
	12/3/07
Signature: (Department Head)	Date:
	12.3.07

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	County of Los Angeles v. Sandra Shewry and California State Department of Health Services
CASE NUMBER	BS 107385 (petition)
COURT	Los Angeles County Superior Court Central District
DATE FILED	February 13, 2007
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	County would receive approximately \$40,342
ATTORNEY FOR PLAINTIFF	Jeffrey Bates, Esq. Foley & Lardner, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	This is a petition filed by the County of Los Angeles against Sandra Shewry and California State Department of Health Services. The County seeks reimbursement for medical services provided at Harbor/UCLA Medical Center and LAC+USC Medical Center.

The subject medical services were billed to Medi-Cal. The County of Los Angeles and the State Department of Health Services disagreed as to the extent to which the State Department of Health Services should reimburse the County under the Medi-Cal program.

After exhausting the necessary administrative procedures, the County filed the present petition with the Court. The parties then reached a settlement whereby the State Department of Health Services would pay \$40,342 as the final settlement of the dispute.

PAID ATTORNEY FEES, TO DATE	\$3,772.50
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PAID COSTS, TO DATE	\$6.00
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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Lenore Almanzar
CASE NUMBER	Non-litigated
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Department of Public Works - Sewer
PROPOSED SETTLEMENT AMOUNT	\$26,125.13
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewage overflow caused by a tree root and grease blockage in a sewer main line. The main line is part of the Consolidated Sewer Maintenance District that is maintained by the County. Ms. Almanzar presented a government claim, alleging damages to her basement wallboard, base board, trim, carpeting and personal property. She contends the County is liable for her property damages. Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with the plaintiff.
PAID ATTORNEY FEES, TO DATE	\$0
PAID COSTS, TO DATE	\$0

Summary Corrective Action Plan
Los Angeles County Department of Public Works



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:	July 20, 2007
Briefly provide a description of the incident/event:	<p>Almanzar Claim</p> <p>This is a sewage back-up that occurred at a residence at 1626 Morada Place, Altadena. The claimant discovered "black water" sewage overflowing into her basement. The black water caused damage to the interior baseboard and associated trim, and other personal property.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by overgrown tree roots and grease between manhole numbers 296 and 298. Remediation under the Rapid Response Program was initiated.</p>

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

Tree roots and grease blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on February 2, 2007.


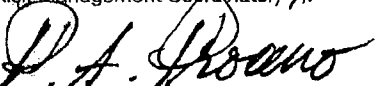

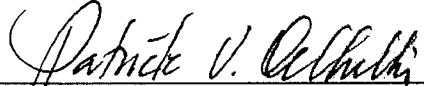
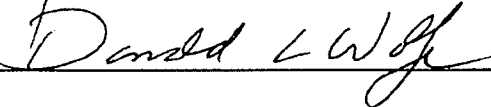
County of Los Angeles Department of Public Works
 Summary Corrective Action Plan

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

The segment of main line was placed on a 90 day rodding schedule to prevent future blockages in addition to the semi-annual inspection.

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: (Division Head) 	Date: 11/29/07
Signature: (Risk Management Coordinator) <i>AA</i> 	Date: 12/6/07
Signature: (Branch Deputy Director) 	Date: 12/10/07
Signature: (Risk Management Deputy Director) 	Date: 12-10-2007
Signature: (Director) 	Date: 12-11-2007

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

December 3, 2007

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:05 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: Narbeh Bagadasarian; Department of Health Services: Gail V. Anderson, Jr., M.D., MBA, Associate Medical Director

No members of the public addressed the Claims Board.

At 8:06 a.m., the Chairperson adjourned the meeting into closed session. At 8:25 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Jose Luis Garcia and Martha Lopez v. County of Los Angeles
LASC Case No. TC 020 476

This medical negligence/wrongful death lawsuit arises from treatment received by a patient while hospitalized at Harbor/UCLA Medical Center.

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.

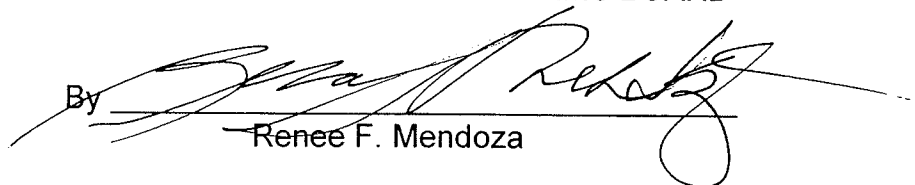
The vote of the Claims Board was unanimous with all members being present.

Minutes for the November 19, 2007, meeting were approved.

There being no further business, the meeting was adjourned at 8:30 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza