

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 15, 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. Rosa Tena v. Josie Woolum, et al.
Los Angeles Superior Court Case No. VC 050 407

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Sheriff's Department.

Action Taken:

This Claims Board approved settlement of this matter in the amount of \$69,500.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

b. Claim of Carla Bagdasaryan

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

Action Taken:

This Claims Board approved settlement of this matter in the amount of \$23,769.78.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

c. Maria Rodriguez v. Marita Moran, et al.
Los Angeles Superior Court Case No. KC 049 690

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Probation Department; settlement is recommended in the amount of \$72,500.

Action Taken:

This Claims Board continued this matter.

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 1, 2008, meeting of the Claims Board and the December 5, 2008, Special meeting of the Claims Board.

Action Taken:

The Minutes for the December 1, 2008, meeting of the Claims Board and the December 5, 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	<u>Rosa Tena v. Josie S. Woolum, et al.</u>
CASE NUMBER	VC050407
COURT	Los Angeles County Superior Court Southeast District
DATE FILED	February 26, 2008
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$69,500
ATTORNEY FOR PLAINTIFF	Vadim Yuzefpolsky (818) 553-8074
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel (213) 974-1879
NATURE OF CASE	<p>On January 11, 2007, at about 4:30 p.m., Sergeant Josie Woolum was traveling northbound on Bellflower Boulevard, in the number one lane, in stop and go traffic. She was driving a Chevrolet Tahoe. It was daylight, but cloudy, and the road condition was dry. Sergeant Woolum claims to have been traveling about 10-15 miles per hour. As Sergeant Woolum approached the intersection of Beverly Street, the vehicle in front of her driven by Ms. Tena stopped and Sergeant Woolum collided into the rear of Ms. Tena's vehicle, a 1997 Jeep Cherokee.</p> <p>Ms. Tena, who was 47 years old at the time of the accident, was diagnosed with a partial right rotator cuff tear, frozen</p>

shoulder syndrome, cervical sprain/strain, right-sided radiculopathy, broad disc herniation and decreased lordosis. She continues to have cervical spine and right shoulder pain. Ms. Tena's medical specials total \$20,369.59. In addition, Ms. Tena received a recommendation to have future shoulder arthroscopy estimated to cost \$12,635. Ms. Tena claimed a loss of earnings of \$900. Ms. Tena's vehicle was deemed a total loss, which property damage claim was settled for \$4,763.13.

The County disputed the nature and extent of the collision and of Ms. Tena's injuries.

Due to the risks and uncertainties of litigation, County Counsel recommends a full and final settlement of this lawsuit in the amount of \$69,500. The Sheriff's Department concurs in the recommendation.

PAID ATTORNEY FEES, TO DATE	\$15,352.84
PAID COSTS, TO DATE	\$2,151.64

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>Rosa Tena v. Josie S. Woolum, et, al.</u> (Summary Corrective Action Plan #2008-017)</p> <p>Thursday, January 11, 2007; 4:30 PM</p>
Briefly provide a description of the incident/event:	<p>On Thursday, January 11, 2007, at approximately 4:30 PM, a uniformed Los Angeles County deputy sheriff was driving a standard black and white (supervisor's) patrol vehicle (1995 Chevrolet Tahoe; California License Number E1226020) north on Bellflower Boulevard in the city of Bellflower.</p> <p>The deputy sheriff was driving at a speed estimated at 10 to 15 miles per hour when the vehicle in front of her abruptly stopped. The deputy sheriff failed to bring her patrol vehicle to a stop before it collided with the rear of the plaintiff's vehicle.</p>

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

<p>This is a case of undisputed liability.</p> <p>As a result of this traffic collision, the plaintiff was diagnosed with a partial tear of the right rotator cuff and a cervical sprain/strain. She continues to experience cervical spine and right shoulder pain.</p> <p>The plaintiff claims a loss for personal injuries (medical expenses). She also claims a loss of earnings. The vehicle she was driving at the time of the incident (a 1997 Jeep Grand Cherokee; California License Number 3TOG852); was deemed a total loss.</p>

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.)

This traffic collision was investigated by representatives of the Los Angeles County Sheriff's Department. Their investigation concluded that the primary causal factor in this incident was the deputy sheriff's improper operation of a motor vehicle. The Department also conducted an administrative review of the incident and concluded that the incident was a preventable incident and found the deputy sheriff was in violation of established policies and/or procedures. Appropriate administrative action against the Los Angeles County deputy sheriff was taken.

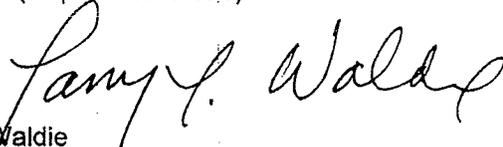
A full and final settlement at this time will avoid further litigation expenses and a potential jury verdict which would likely exceed the recommended settlement amount.

RECOMMENDED SETTLEMENT AMOUNT: \$69,500

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 Countywide 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 Countywide or other department implications.

Signature: (Risk Management Coordinator)  David J. Long, Captain Risk Management Bureau	Date: 12-9-08
Signature: (Department Head)  Larry L. Waldie Undersheriff	Date: 12-10-08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Carla Bagdasaryan
CASE NUMBER	N/A
COURT	N/A
DATE FILED	September 10, 2007
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund - Sewer & Drain District
PROPOSED SETTLEMENT AMOUNT	\$23,769.78
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 sewer backup at the residential unit rented by Carla Bagdasaryan located in Altadena. A County sewer crew investigated the complaint and found that wastewater from a sewer mainline entered the home through a bathroom toilet and bathtub and intruded into the adjoining bathroom, hallway, bedroom and closet. The County crew rodded the mainline and relieved a



Summary Corrective Action Plan
County of Los Angeles 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.

Claim/Lawsuit:	Linda Robbins, Carla Bagdasaryan
Date of incident/event:	August 23, 2007
Briefly provide a description of the incident/event:	<p>This is a sewage back-up that occurred at 2065 Maiden Lane, Altadena. The claimant stated raw sewage filled and overflowed into Units A and B, and flooded the backyard through the clean-out.</p> <p>Public Works responded and the crew confirmed the existence of a main line blockage created by overgrown tree roots between Manhole Numbers 229 and 230. Remediation under the Rapid Response Program was initiated.</p>

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

Tree root blockage of the main line sewer. Public Works provided semi-annual inspections of the main line. The last inspection was carried out on August 17, 2007.

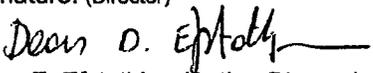
County of Los Angeles Department of Public Works
Summary Corrective Action Plan

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 and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be on a semi-annual inspection program.

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)  Pat Proano	Date: 7/2/08
Signature: (Director)  Dean E. Efstathiou (Acting Director)	Date: 7/2/08

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Maria Rodriguez v. Marita Moran, et al.</u> Van Nuys District
CASE NUMBER	KC049690
COURT	Los Angeles Superior Court
DATE FILED	December 22, 2006
COUNTY DEPARTMENT	Probation Department
PROPOSED SETTLEMENT AMOUNT	\$72,500
ATTORNEY FOR PLAINTIFF	Tracy Baer, Esq. (310) 226-7570
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	On November 22, 2006, Maria Rodriguez was driving in the number one southbound lane of Interstate Freeway 605 at approximately 50 miles-per-hour when a County employee, during the course and scope of her County employment, changed lanes into the adjacent number two lane. The two vehicles were alongside each other and subsequently collided into one another in a sideswipe impact. It is disputed whether the County driver first encroached into the number one lane in which Ms. Rodriguez was driving or Ms. Rodriguez encroached into the number two lane in which the County driver was driving before the impact. The collision resulted in Ms. Rodriguez's

vehicle ricocheting into the center median and rolling over. The County driver's vehicle ricocheted into a third vehicle that then rolled down the right shoulder embankment. Ms. Rodriguez received soft tissue injuries to her neck, back and right arm as a result of the collision.

Ms. Rodriguez claims that the County driver negligently changed lanes into the number one southbound lane. The County claims that Ms. Rodriguez was similarly negligent by failing to check the number two lane for traffic.

Due to the risks and uncertainties of litigation, the Probation Department proposes a full and final settlement of this case as to Ms. Rodriguez in the amount of \$72,500.

PAID ATTORNEY FEES, TO DATE	\$15,345
PAID COSTS, TO DATE	\$14,765

Summary Corrective Action Plan



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Date of incident/event:	November 22, 2006 on the 605 Hwy Southbound-south of Valley Boulevard., at approximately 10:55a.m.
Briefly provide a description of the incident/event:	Plaintiff and County of Los Angeles (COLA) permittee driver were involved in an auto accident on the 605 Hwy, while traveling southbound just south of Valley Boulevard. Plaintiff was driving vehicle-1 in the number-1 lane traveling southbound at approximately 50 miles per hour (MPH). COLA employee was driving private vehicle-2 in the number-2 lane traveling southbound at approximately 60-65 mph. A third driver was in vehicle-3 traveling at approximately 60 mph in the same direction in the number-3 lane.

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

The incident stems from a 6 year COLA permittee driver with no known in-service accident history being involved in an auto accident with the plaintiff on the 605 Hwy. Root cause factors identified include:

- COLA staff member possible violation of California Vehicle Code Section 21658(a)-unsafe lane change

Upon review and preparation related to the legal matter the above root causes were identified. This matter is being settled to mitigate associated costs.

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

Recommended Corrective Action:

Task #1 Name: Accident Review Enhancement

System Issue: Process/Procedure

Responsible Person: Erbie Phillips

Task Description:

1. The Department will enhance the vehicle review process to include each vehicle accident involving a COLA permittee driver must be investigated by a supervisor and an investigation report be submitted to the Department Risk Management Office within 10 days of the accident. **This task to be completed on or about September 2008.**
2. The Department Risk Management staff will conduct an analysis of existing driver services program(s) and make a recommendation to the Chief related to preventable vehicle accidents. **This task to be completed on or about November 2008.**

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)



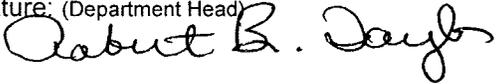
Potentially has County-wide implications.



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: 5/22/08
Signature: (Department Head) 	Date: 5-27-08

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

December 1, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:04 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 Bagdasarian, Mary Wickham, and Manuel Valenzuela; Department of Health Services: Gail V. Anderson, M.D.; Department of Public Social Services: Philip Browning, Gail Washington, and Anthony Morrone; Outside Counsel: Douglas Fee.

No members of the public addressed the Claims Board.

At 8:06 a.m., the Chairperson adjourned the meeting into closed session. At 9:06 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Shanay Bridges v. County of Los Angeles
Los Angeles Superior Court Case No. TC 019 748

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

The Claims Board continued this matter.

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

- b. Sandra Siedenbug v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 377 895

This lawsuit concerns allegations that an employee of the Department of Public Social Services was subjected to retaliation for her whistle-blower activities.

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$148,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Social Services' budget.

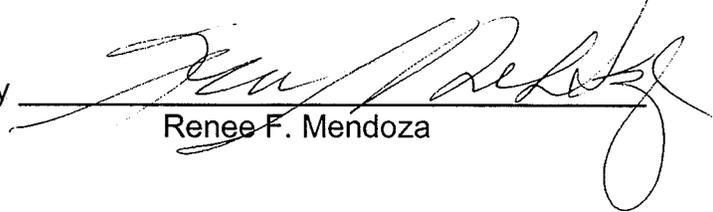
The vote of the Claims Board was unanimous with all members being present.

Minutes for the October 6, 2008 and November 3, 2008, meetings of the Claims Board and the November 19, 2008, Special meeting of the Claims Board were approved.

There being no further business, the meeting was adjourned at 9:16 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

A handwritten signature in black ink, appearing to read "Renee F. Mendoza", written over a horizontal line. The signature is stylized and cursive.

Renee F. Mendoza

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF SPECIAL MEETING

December 5, 2008

This special meeting of the County of Los Angeles Claims Board was called to order at 8:09 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 Bagdasarian, Department of Health Services: Gail V. Anderson, M.D., and Kim McKenzie.

No members of the public addressed the Claims Board.

At 8:10 a.m., the Chairperson adjourned the meeting into closed session. At 8:20 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Shanay Bridges v. County of Los Angeles
Los Angeles Superior Court Case No. TC 019 748

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

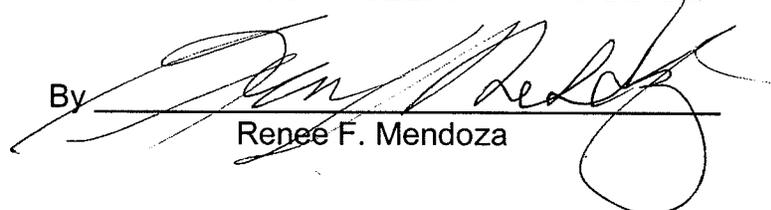
The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,500,000 plus assumption of the Medi-Cal lien in the amount of \$112,999 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.

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

There being no further business, the meeting was adjourned at 8:32 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza