

**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 20, 2009, AT 9:30 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. Rebecca Rickley v. County of Los Angeles, et al.  
United States District Court Case No. CV 08-4918-SVW

This lawsuit arises from a series of code enforcement disputes involving the Building and Safety Division of the Department of Public Works; settlement is recommended in the amount of \$50,000.

**Action Taken:**

**No reportable action was taken.**

- b. Linda Richardson v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. LC 074 962

This lawsuit arises from injuries received when a visitor to the Van Nuys courthouse sat in a chair and the chair collapsed; settlement is recommended in the amount of \$75,000.

**Action Taken:**

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

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 April 6, 2009, meeting of the Claims Board.

**Action Taken:**

**The Minutes for the April 6, 2009, meeting of the Claims Board 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		Linda Richardson v. County of Los Angeles, et al.
CASE NUMBER		LC074962
COURT		Los Angeles Superior Court
DATE FILED		6/15/06
COUNTY DEPARTMENT		Chief Executive Office
PROPOSED SETTLEMENT AMOUNT	\$	75,000
ATTORNEY FOR PLAINTIFF		Lewis, Marenstein, Wicke & Sherwin
COUNTY COUNSEL ATTORNEY		Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE		On July 5, 2005, Linda Richardson appeared in a Van Nuys Superior Courtroom to testify in a criminal fraud prosecution. While waiting for the case to be heard, she took a seat in the spectator's gallery. As she placed her weight on the seat, however, it became detached at its hinge and collapsed beneath her. As a result of the accident, Ms. Richardson claimed injuries to her neck, upper back and right shoulder as a result of a dangerous condition of the public property and incurred \$140,569 in medical expenses.
		Due to the risks and uncertainties of litigation, the County Counsel proposes a full and final settlement of this case in the amount of \$75,000.
PAID ATTORNEY FEES, TO DATE	\$	115,370
PAID COSTS, TO DATE	\$	91,026



## 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:	07/05/2005
Briefly provide a description of the incident/event:	<p>Plaintiff was injured when the bottom component of a "stadium" (folding) chair broke and she fell to the ground. This claim is a case of clear liability (defective chair), but disputed ownership/responsibility. The responsibility for the chair is disputed between the State of California (State) and County of Los Angeles (County).</p> <p>Plaintiff alleges "Failure to warn of a dangerous condition."</p>

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

The root cause was a defective (broken) audience "stadium" (folding) chair at Department NW-N of the Van Nuys Courthouse.

The primary root cause of the event (inspection and maintenance of the seating) did not arise within either an assumed or contractual County responsibility (Internal Services Department, Sheriff, or Chief Executive Office). The inspection, maintenance, and repair of the chair are not within the County's responsibility.

This is an economic settlement, and funded by the Chief Executive Office as designated proprietor of the Courts' buildings.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

There are no corrective actions required.

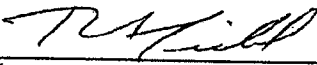
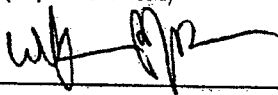
The County asserts the inspection and maintenance of the fixed (bolted to the floor) audience "stadium" type folding seating is the responsibility of the State, and the County has no responsibility for the inspection, maintenance, or safe operation of the chair.

In addition, there is no documentation that the County's Internal Services Department was notified of the defective seating and/or requested to repair or replace the chair. One of the maintenance options the State can utilize is to request a work order that the Internal Services Department repair the chair. The State cannot produce evidence of such a request.

Many of the "responsibility/ownership" issues between the State and the County will be resolved as the Courthouse transfer project comes to closure. The transfer of the Courthouses is a complicated legal/real estate endeavor, and County staff is working with the State to transfer the properties as efficiently as possible.

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: 3/12/09
Signature: (Department Head) 	Date: 3.24-09

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 6, 2009

1. Call to Order.

This regular meeting of the County of Los Angeles Claims Board was called to order at 9:30 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: Maria M. Oms, Rocky Armfield and John F. Krattli.

Other persons in attendance at the meeting were: Office of the County Counsel: Manuel A. Valenzuela, Jr., Stephen R. Morris, Julia Weissman, and Brian; Sheriff's Department: Pat Hunter and Rob Taliento; Department of Health Services: Steven Hernandez; Probation Department: Tracy Jordan-Johnson; Office of Affirmative Action: Hayward Harris, Jr.; Outside Counsel: Avi Burkwitz of Peterson & Bradford, LLP.

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 9:34 a.m., the Chairperson adjourned the meeting into closed session to discuss agenda items 3(a) through 3(c).**

4. Report of actions taken in Closed Session.

**At 10:51 a.m., the Claims Board reconvened in open session and reported the actions taken in closed session as follows:**

- a. Peter N. Tuiasosopo v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 381 222

This lawsuit concerns allegations that the Probation Department failed to engage in an interactive process or provide reasonable accommodation for an employee with disabilities; settlement is recommended in the amount of \$125,000.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$125,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Probation Department's budget.**

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

- b. InSight Health Corporation  
Pre-litigation Claim

This claim seeks compensation for damages to hospital equipment owned by a County contractor; settlement is recommended in the amount of \$132,283.30.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$132,283.30 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Service's budget.**

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

- c. Julio Kollerbohm v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. SC 081 806

This lawsuit seeks compensation for injuries received in a vehicle accident involving an employee of the Sheriff's Department; settlement is recommended in the amount of \$200,000.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Sheriff's Department's budget.**

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

5. Approval of the Minutes for the March 16, 2009, meeting of the Claims Board.

**The Minutes for the March 16, 2009, meeting of the Claims Board were approved.**

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

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.

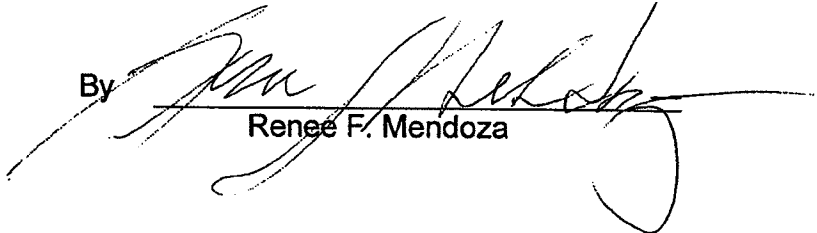
**No such matters were discussed.**

7. Adjournment.

**The meeting was adjourned at 11:07 a.m.**

COUNTY OF LOS ANGELES CLAIMS BOARD

By

  
Renee F. Mendoza