

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 19, 2010, AT 9:30 AM

Present: John Naimo, Steven NyBlom 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. Deborah Oren v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 396 567

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Department of Health Services.

Action Taken:

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

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Irina Quincy, et al. v. Carolyn Hamada, et al.
Los Angeles Superior Court Case No. YC 059 132

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Department of Public Health.

Action Taken:

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

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- c. Angela Contreras v. County of Los Angeles
Los Angeles Superior Court Case No. BC 391 870

This lawsuit concerns allegations of sexual harassment and retaliation by the Office of Public Safety; settlement is recommended in the amount of \$25,000.

Action Taken:

The Claims Board disapproved the settlement of this matter.

Absent: None

Vote: **Ayes:** 1 – Mr. Krattli

Noes: 2 – Mr. Naimo and Mr. NyBlom

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 April 5, 2010, regular meeting of the Claims Board.

Action Taken:

The minutes for the meeting of April 5, 2010, regular meeting of the Claims Board were approved as corrected.

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	Deborah Oren v. County of Los Angeles, et al.
CASE NUMBER	BC396567
COURT	Los Angeles County Superior Court Central District
DATE FILED	August 18, 2008
COUNTY DEPARTMENT	Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 60,000.00
ATTORNEY FOR PLAINTIFF	Law Offices of Bob B. Bhakshooy
COUNTY COUNSEL ATTORNEY	Vicki Kozikoujekian Principal Deputy County Counsel (213) 974-8208
NATURE OF CASE	<p>On October 9, 2007, a Department of Health Services employee, while in the course and scope of his employment, rear-ended plaintiff's vehicle as she slammed on her brakes.</p> <p>Plaintiff claims that the Health Services employee negligently rear-ended into her vehicle, because he was following too closely. The County claims that the plaintiff abruptly slammed on her brakes causing the Health Services employee to rear-end her vehicle.</p> <p>Due to the risks and uncertainties</p>

of litigation, the Department of Health Services proposes a full and final settlement of the case in the amount of \$60,000.

PAID ATTORNEY FEES, TO DATE	\$	36,112.50
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PAID COSTS, TO DATE	\$	6,558.28
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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:	October 9, 2007
Briefly provide a description of the incident/event:	As Deborah Oren was driving her car southbound on the 101 Freeway near the Benton Way exit, she was rear ended by a County of Los Angeles (COLA) vehicle driven by a County employee, which resulted in a multi-vehicle accident.

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

- Unsafe driving.

2. Briefly describe recommended corrective actions:

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

- All appropriate personnel action has 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 for assistance)

- Potentially has County-wide implications.
- Potentially has an implication 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.

Name: (Risk Management Coordinator)


Kim McKenzie, RN, MSN, CPHQ, Director, Quality Improvement and Patient Safety

Signature:

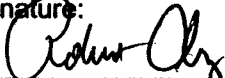
Kim McKenzie

Date:

3/23/10

Name: (Department Head)	
John F. Schunhoff, Ph.D, Interim Director	
Signature: 	Date: 3-23-10

Chief Executive Office Risk Management

Name: Robert Chavez	
Signature: 	Date: 04-07-10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Quincy et al. v. Hamada et al.
CASE NUMBER	YC059132
COURT	Los Angeles Superior Court
DATE FILED	March 23, 2009
COUNTY DEPARTMENT	Public Health
PROPOSED SETTLEMENT AMOUNT	\$ 50,000.00 total to two plaintiffs
ATTORNEY FOR PLAINTIFF	Gerald Labovitch
COUNTY COUNSEL ATTORNEY	Jerry Custis
NATURE OF CASE	<p>On October 19, 2007, an employee of the Public Health Department was using her private vehicle in the course of her work, entering Inglewood Avenue from a driveway south of Grant Avenue, Redondo Beach. As she crossed the southbound lanes of Inglewood Avenue in order to reach the northbound lanes, a southbound vehicle containing the two plaintiffs struck her vehicle. Plaintiff Irina Quincy was the driver of that vehicle, and her mother, Sonya Mogilnitsky, was her passenger. Each of the individuals involved in the collision required emergency medical care. Plaintiff Mogilnitsky sustained the</p>

most serious injuries, including injuries to her mouth requiring considerable dental work. The two plaintiffs filed suit against the County and the driver-employee. The parties' version of the accident differed. Plaintiffs contended that the County employee shot out into the street, while the County employee recalled that she began crossing the southbound lanes only when a southbound motorist waved her through. The police accident investigator reported that the fault for the collision was that of the County employee.

Due to the uncertainties of trial, the evidence pointing to County liability, and the potential exposure to an adverse verdict, the County engaged in settlement negotiations with the plaintiffs, resulting in the recommended settlement with the plaintiffs.

PAID ATTORNEY FEES, TO DATE	\$	29,630
PAID COSTS, TO DATE	\$	7,993



Summary Corrective Action Plan

Department of Public Health
Quincy vehicle injury accident lawsuit settlement, case YC059132, RMIS file 08-1063171

Date of incident/event:	October 19, 2007
Briefly provide a description of the incident/event:	An employee operating her personal vehicle on County business, intending to move into the northbound lanes of a four-lane street, turned left out of a parking lot and collided with a vehicle traveling in the second southbound lane. The employee and both occupants of the plaintiff's vehicle were treated at a hospital and released the same day. Injuries to the plaintiffs were significantly worse than those of the employee.

A. ROOT CAUSE OF THE LAWSUIT

Failure of the employee to yield the right of way.

B. RECOMMENDED CORRECTIVE ACTIONS

1. Corrective action for the employee. The employee will receive training specific to her driving error, with focus on ways it could have been avoided. The training will include discussion with Risk Management, and written testing.
Due date: February 15, 2010.
Accountability: Department Risk Manager, Jim Day.
2. Corrective action for the department. To enable analysis of the loss history, the department will centralize the data collection of vehicle accident reports and associated cost reports.
Due date: June 30, 2010.
Accountability: Department Risk Manager, Jim Day.

C. APPLICABILITY TO OTHER DEPARTMENTS

This Summary Corrective Action Plan may apply to departments whose employees operate motor vehicles.

D. APPROVALS

Signature: <i>Jonathan E. Fielding</i> JONATHAN E. FIELDING, M.D., M.P.H. Director and Health Officer	Date: <i>3/2/10</i>
Signature: <i>Jim Day</i> JIM DAY Risk Manager	Date: <i>February 24, 2010</i>

Robert Chavez
Robert Chavez
Chief Executive Officer

04-15-10

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 5, 2010

1. Call to Order.

This regular meeting of the County of Los Angeles Claims Board was called to order at 9:38 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: John Naimo, Steven NyBlom, and John F. Krattli.

Other persons in attendance at the meeting were: Office of the County Counsel: Andrea Ross, Adrian Gragas, Roger Granbo, Karen Joynt, and Edwin Lewis; Department of Mental Health: Deborah Smith and Zoe Trachtenberg; Sheriff's Department: Shaun Mathers; Probation Department: Tracy Jordan-Johnson; Office of Affirmative Action and Compliance: Hayward Harris

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 9:40 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the item listed as 4(a).

4. Report of actions taken in Closed Session.

At 11:50 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

- a. Jenny P. v. So. Pasadena Unified School District
Los Angeles County Department of Mental Health
Case No. N2009080777

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health;

The Claims Board approved settlement of this matter in the amount of \$27,000.

The vote of the Claims Board was unanimous with Steven Nyblom being absent.

- b. Kayla S. v. Claremont Unified School District, et al.
Case No. N2009110780

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health.

The Claims Board approved settlement of this matter in the amount of \$80,578.74

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

- c. Rachel R. v. Palos Verdes Peninsula Unified School District, et al.
Case No. N2009100694 and 2009091343 (consolidated)

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health.

The Claims Board approved settlement of this matter in the amount of \$38,741.

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

- d. Liliana Mendoza v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 407333

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

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

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

- e. Roshanie Taylor v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 386710

This lawsuit concerns allegations of excessive force and false arrest by Sheriff's Deputies.

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.

- f. Diana V. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. LC 086027

This lawsuit concerns allegations of sexual assault by a Sheriff's Deputy.

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

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

- g. David Robinson v. County of Los Angeles
Los Angeles Superior Court Case No. BC 387763

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

The Claims Board approved settlement of this matter in the amount of \$29,500.

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

5. Approval of the minutes for the March 15, 2010 regular meeting of the Claims Board.

The minutes for the March 15, 2010 regular 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 12:00 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Dorothy A. Dunson
Dorothy A. Dunson