

**STATEMENT OF PROCEEDINGS
FOR THE SPECIAL 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
WEDNESDAY, SEPTEMBER 29, 2010, AT 1:00 PM**

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. Savanah Kirifi v. County of Los Angeles, et al. (consolidated with Elias Aldana, et al. v. County of Los Angeles, et al.)
Orange County Superior Court Case No. 30-2009 00120599
(Consolidated with Los Angeles Superior Court Case No. BC 409 969)

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

Action Taken:

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

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Bryan David Moore, et al. v. County of Los Angeles
Compton Superior Court Case No. TC 022 412

This wrongful death lawsuit concerns allegations of excessive force by Sheriff's Deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$350,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Sheriff's Department's budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- c. Dolly Leong v. County of Los Angeles
Los Angeles Superior Court Case No. BC 412 381

This lawsuit concerns allegations that an employee of the Department of Public Social Services was subjected to sexual harassment and retaliation.

Action Taken:

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

Absent: None

Vote: Ayes: 2 - John Naimo and John Krattli
Noes: 1 - Steven 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. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Savanah Kirifi v. County of Los Angeles, et al.
CASE NUMBER	Case No. 30-2009 00120599
COURT	Orange Superior Court
DATE FILED	March 28, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Tina Locklear, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>On June 29, 2008, at approximately 5:25 a.m., at the signalized intersection of Beach Boulevard and Garden Grove Boulevard in the City of Garden Grove, a Sheriff's deputy driving an unmarked Sheriff's vehicle collided with another vehicle in which Savanah Kirifi was a passenger. It is disputed who, among the drivers, proceeded into the intersection against a red traffic signal which resulted in the collision.</p> <p>As a result of the collision, Ms. Kirifi received injuries, including a concussion, and soft</p>

tissue injuries to her neck and back, and incurred approximately \$34,000 in medical expenses.

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	\$	110,662
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PAID COSTS, TO DATE	\$	3,526
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Case Name: Savannah Kirifi v. County of Los Angeles



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:	Sunday, June 29, 2008; approximately 5:25 a.m.
Briefly provide a description of the incident/event:	<p align="center"><u>Savannah Kirifi v. County of Los Angeles</u> (Summary Corrective Action Plan No. 2010-017)</p> <p>On Sunday, June 29, 2008, at approximately 5:25 a.m., an on duty Los Angeles County Sheriff's Department employee was driving an unmarked Los Angeles County-owned vehicle south on Beach Boulevard (State Route 39), when the vehicle he was driving collided with a vehicle traveling east on Garden Grove Boulevard, Stanton (County of Orange).</p>

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

A public entity is responsible for the negligent acts of its employees when the acts are committed in the course and scope of employment.

As a result of this traffic collision, the plaintiff was transported to a local hospital for treatment of her injuries.

The vehicle in which the plaintiff was traveling (right, front seat passenger), a 1999 Mazda Protégé, California License Number 5PHP453, sustained major damage.

The Los Angeles County employee was transported to a local hospital for treatment of his injuries.

The vehicle the Los Angeles County employee was driving, a 2005 Chevrolet Trailblazer, California License Number 5KUG920, sustained major damage.

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

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

County of Los Angeles
Summary Corrective Action Plan

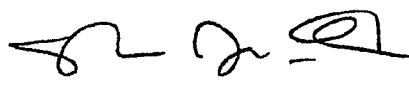
This traffic collision was thoroughly investigated by representatives of the Orange County Sheriff's Department's Major Accident Reconstruction Team (MART). Their investigation concluded that the Los Angeles County employee caused the collision by violating California Vehicle Code section 23152(a), Driving Under Influence of Alcohol or Drugs, and California Vehicle Code section 21453(a), Circular red or Red Arrow.

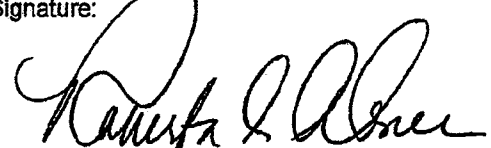
The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

This summary corrective action plan has the potential to affect all Los Angeles County departments (see #2 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 an implication 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(s) implications.


Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
SHAUN J. MATHERS, ACTING CAPTAIN	
Signature:	Date:
	7/20/10

Name: (Department Head)	
ROBERTA ARNEX CHIEF	
Signature:	Date:
	07/21/10

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Chief Executive Office Risk Management Branch

Name: Robert Chavez	
Signature: 	Date: 9/9/10

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*RMIG approval is based on information available to RMIG staff during review.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Bryan D. Moore, et al. v. County of Los Angeles, et al.
CASE NUMBER	TC 022412
COURT	Los Angeles Superior Court-South Central
DATE FILED	June, 26, 2008
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 350,000
ATTORNEYS FOR PLAINTIFF	The Cochran Firm
COUNTY COUNSEL ATTORNEY	Gordon W. Trask, Principal Deputy County Counsel, (213) 974-1921
NATURE OF CASE	<p>Plaintiffs Bryan David Moore, and Alice Smith the surviving father and mother of Bryan David Lee Moore, allege that on 06/26/2008, their civil rights and their son's civil rights were violated when the son was shot and killed by Sheriff Deputies. They claim that the Deputies use of deadly force was not warranted.</p> <p>The Deputy who shot Mr. Moore contends that he fired in self-defense.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is</p>

entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$350,000 is recommended.

PAID ATTORNEY FEES, TO DATE \$ 63,229

PAID COSTS, TO DATE \$ 27,907

Case Name: **Bryan David Moore, et al. v. County of Los Angeles**



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:	Thursday, June 26, 2008; approximately 5:55 p.m.
Briefly provide a description of the incident/event:	<p><u>Bryan David Moore, et al. v. County of Los Angeles</u> (Summary Corrective Action Plan No. 2010-018)</p> <p>On Thursday, June 26, 2008, at approximately 5:55 p.m., Bryan David Lee Moore was walking in the vicinity of 1009 East 150th Street, Compton, when two Los Angeles County deputy sheriffs approached him to investigate his involvement in possible criminal activity. Mr. Moore fled on foot, and both deputies observed Mr. Moore to be holding a firearm as he fled.</p> <p>The deputies immediately established a perimeter around the area and located Mr. Moore. One deputy ordered Mr. Moore to stop and show his hands. Mr. Moore, who had one hand in his waistband area, suddenly began to turn toward the deputy. The deputy believed he was about to be shot and fired three rounds at Mr. Moore. Mr. Moore was transported to a local hospital where he was pronounced dead.</p>

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

The County is responsible for the negligent and intentional acts of its employees when the acts are committed in the course and scope of employment.

The plaintiff's son, Bryan David Lee Moore, was shot and killed by an on duty member of the Los Angeles County Sheriff's Department.

The plaintiff, Bryan David Moore, is the surviving father of the decedent, Bryan David Lee Moore. Potential damages include loss of care, comfort, and society, and an award of reasonable attorneys' fees.

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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)

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.


The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

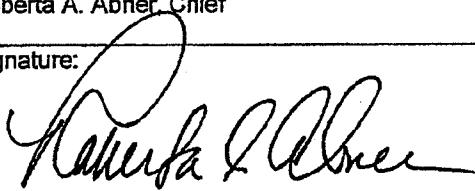
This summary corrective action plan does not appear to have Countywide or other department(s) implications (see #3 below).

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 an implication 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(s) implications.

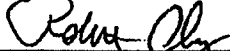
Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Acting Captain	
Signature: 	Date: 7/28/10

Name: (Department Risk Manager) Roberta A. Abner, Chief	
Signature: 	Date: 7/29/10

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Chief Executive Office Risk Management Branch

Name: Robert Chavez	
Signature: 	Date: 9/9/10

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*RMIS approval is based on information available to RMIS staff during review.