

**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
MONDAY, JULY 23, 2012, AT 9:30 AM**

Present: Chair John Naimo, Steven NyBlom, and Patrick Wu

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 Rojas v. County of Los Angeles
Los Angeles Superior Court Case No. BC 475 357**

This medical malpractice lawsuit arises from treatment received by a patient while hospitalized at LAC+USC Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000, plus assumption of the Medi-Cal lien, if any, and waiver of the hospital bill in the estimated amount of \$9,660.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

**b. Jaleh Kohan v. City of Inglewood, et al.
Torrance Superior Court Case No. YC 055 512**

This dangerous condition lawsuit arises from injuries received by a juror from a slip and fall in the plaza area of the Inglewood Courthouse.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$23,750.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

c. Claim of Lexington Insurance c/o Retirement Housing Foundation

This claim seeks compensation for property damage and loss of rent due to a main line sewer blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$69,242.48.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

d. Claim of the Interinsurance Exchange of the Automobile Club

This claim seeks compensation for damages to its insured's real and personal property due to a sewer main line blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$33,819.64.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

e. **Claim of Jose Enrique Medina**

This claim seeks compensation for damages to real and personal property due to a sewer main line blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$31,692.44.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

f. **Claim of Shmuel Adi**

This claim seeks compensation for damages to real and personal property due to a sewer main line blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$44,710.84.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

g. **Claim of Samantha Industry Plaza**

This claim seeks compensation for damages to real property allegedly caused by a Sheriff vehicle colliding into a building.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$21,500.79.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

**h. Judith Gonzalez, et al. v. County of Los Angeles, et al.
Lancaster Superior Court Case No. MC 019 520**

This lawsuit seeks compensation for the death of a civil detainee while in custody at the Mira Loma Detention Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$750,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

**i. James Mee v. County of Los Angeles
Los Angeles Superior Court Case No. BC 444 914**

This lawsuit concerns allegations of religious discrimination and hostile working environment by a Deputy Sheriff.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

**j. Jacqueline Medina v. County of Los Angeles
Los Angeles Superior Court Case No. BC 460 572**

This lawsuit concerns allegations of age discrimination, retaliation and failure to investigate by the Sheriff's Department.

Action Taken:

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

Vote: Ayes: 2 - John Naimo and Steven NyBlom
Abstentions: 1 - Patrick Wu

**k. Max Kim v. County of Los Angeles
Los Angeles Superior Court Case No. BC 451 867**

This lawsuit concerns allegations of discrimination and retaliation by an employee of the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$79,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

**l. Adrian Duran v. County of Los Angeles
Los Angeles Superior Court Case No. BC 460 573**

This lawsuit concerns allegations of discrimination, retaliation and failure to investigate by the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$80,000.

Vote: Ayes: 2 - John Naimo and Steven NyBlom
Abstentions: 1 - Patrick Wu

**m. Lisa Richardson v. County of Los Angeles
Los Angeles Superior Court Case No. BC 451 865**

This lawsuit concerns allegations of age discrimination and retaliation by an employee of the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$30,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

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 July 2, 2012, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Document](#)

6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rosa Rojas v. County of Los Angeles
CASE NUMBER	BC 475357
COURT	Los Angeles Superior Court - Central District
DATE FILED	December 15, 2011
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$250,000, plus assumption of the Medi-Cal lien if any, and waiver of the hospital bill in the estimated amount of \$9,660.
ATTORNEY FOR PLAINTIFF	Levik Yarian, Esq. Yarian & Patatanyan, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>Rosa Rojas underwent a biopsy at LAC+USC Medical Center. Due to a contamination of the pathology slides, an incorrect diagnosis was made.</p> <p>Based on such diagnosis, the patient underwent an unnecessary surgery.</p> <p>Rosa Rojas brought a medical malpractice lawsuit against the County of Los Angeles alleging that the diagnosis in her case was done negligently which led to an unnecessary surgery.</p>
PAID ATTORNEY FEES, TO DATE	None
PAID COSTS, TO DATE	\$241

Case Name: Rojas, Rosa # 3716



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:	July 19, 2011
Briefly provide a description of the incident/event:	Rosa Elena Rojas underwent a biopsy at LAC+USC Medical Center. Due to contamination of the pathology slides, an incorrect diagnosis was made. Based on such diagnosis, the patient underwent an unnecessary surgery. Rosa Elena Rojas brought a medical malpractice lawsuit against the County of Los Angeles alleging that the diagnosis in her case was done negligently which led to her unnecessary surgery.

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

Unnecessary surgery resulting from inaccurate biopsy results.

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

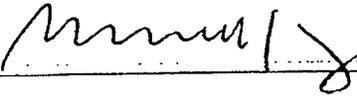
- A survey of DHS facilities was conducted to determine the processes for handling biopsy specimens. All of the DHS facilities reported they do not re-use opened, but unused specimen containers.
- Improved processes for handling biopsy specimens were evaluated by those DHS facilities that manage pathology specimens. These improved processes were shared with the DHS Chief Medical Officer in May of 2012 and are in the process of being implemented.

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)

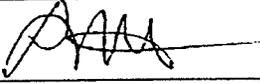
- Potentially has County-wide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)	
Signature: 	Date: 6/18/12

Name: (Department Head) Mitchell Katz, mg	
Signature: 	Date: 6/18/12

Chief Executive Office Risk Management

Name: LEO COSTANTINO	
Signature: 	Date: 6/13/12

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jaleh Kohan v. City of Inglewood, et al.
CASE NUMBER	YC 055512
COURT	Los Angeles County Superior Court, Torrance Branch
DATE FILED	July 5, 2007
COUNTY DEPARTMENT	Internal Services
PROPOSED SETTLEMENT AMOUNT	\$ 23,750.00
ATTORNEY FOR PLAINTIFF	Arnald W. Gross Law Offices of Burg & Brock, APC
COUNTY COUNSEL ATTORNEY	Liliana Campos Deputy County Counsel
NATURE OF CASE	<p>This is a trip-and-fall case. Jaleh Kohan was walking through the courtyard between the parking structure and the Inglewood Courthouse when reporting for jury duty. There was loose yellow caution tape extending across part of the courtyard, which caught in the heel of her shoe and caused her to fall.</p> <p>The County disputes Ms. Kohan's claims and contests any and all liability.</p> <p>Due to the uncertainties of litigation, and the potential that a jury may award a verdict that could exceed the proposed</p>

settlement, a full and final
settlement of \$23,750 is
recommended.

PAID ATTORNEY FEES, TO DATE \$ 120,513

PAID COSTS, TO DATE \$ 8,678



Summary Corrective Action Plan

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Date of incident/event:	May 9, 2009
Briefly provide a description of the incident/event:	Plaintiff tripped and fell over yellow caution tape outside the west plaza area of the Inglewood Courthouse, between the parking structure and the Courthouse. ISD contracts with an outside vendor to provide grounds maintenance and window-washing services at that courthouse.

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

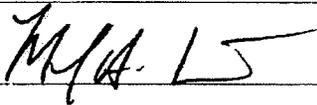
1. Yellow caution tape was left up after work was completed. No determination could be made regarding who hung the tape and for what purpose.
2. Plaintiff chose to step over the tape rather than around it.

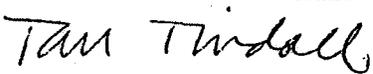
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

<p>1) By July 1, 2012, provide a written reminder to Contractors that provide facilities services, custodial services and/or grounds maintenance/landscaping services of their responsibility to comply with the safety provisions of their contracts and the importance of communicating with County Contract monitors when work is being performed that has the potential to create a hazardous condition. Responsible party: Contracts Division</p> <p>2) By July 1, 2012 ensure that ISD's contract monitors: a. Hold all contract workers in their areas of responsibility to the letter of the contract. b. Improve record-keeping of work performed by contractor. Responsible party: Custodial Division</p>

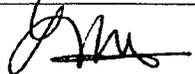
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- 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) Mark A. Colton	
Signature: 	Date: 3/29/12

Name: (Department Head) Tom Tindall	
Signature: 	Date: 4/2/12

Chief Executive Office Risk Management

Name: LEO COSTANTINO	
Signature: 	Date: 3/29/2012

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Lexington Insurance c/o Retirement Houseing Foundation
CASE NUMBER	N/A
COURT	N/A
DATE FILED	April 19, 2010
COUNTY DEPARTMENT	Public Works - Sewer Maintenance District
PROPOSED SETTLEMENT AMOUNT	\$ 69,242.48
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This is a non-litigated subrogation claim for property damages arising from a sewer backup at the Retirement Housing Foundation located in Quartz Hill, California 93536. On March 11, 2010, the County received a service request pursuant to its Rapid Response Service Program concerning a plumbing problem at the incident location. A County sewer crew responded and observed that the house lateral was overflowing at claimant's insured's property. The backflow of wastewater caused damages to several units at the Retirement Houseing Foundation, including water damage at the walls near the toilets and tubs.

The County crew broke down the stoppage, which was apparently caused by rocks and debris. The sewer mainline is maintained by the County as part of the Consolidated Serwer Maintenance District.

Due to inherent risks and uncertainties involved in a trial, and 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.

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	0
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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:	Lexington Insurance ASO Retirement Housing Foundation-Mayflower Gardens
Date of incident/event:	March 11, 2010
Briefly provide a description of the incident/event:	<p>This is a sewage backup that occurred at an apartment complex located at 6570 West Avenue L-12 in the unincorporated Lancaster area. The effluent overflowed into several units and caused damage to the drywall, flooring, and personal property of the tenants.</p> <p>A Sewer Maintenance crew responded to the location and confirmed the existence of a main line blockage created by rocks and the accumulation of debris between Manhole Nos. 15 and 18 along 67th Street West. The crew proceeded to hydro the main line to break down the blockage and vacuumed Manhole No. 15 to remove any remaining materials.</p> <p>Remediation under the Rapid Response Program was initiated. Carl Warren & Company contacted ServPro to provide clean up services. Subsequently however, the claimant released and replaced ServPro with the claimant's own contracted vendor.</p>

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

The sewer backup was caused by a blockage of rocks and debris in the main sewer line. The main line was last inspected on August 12, 2009, as part of the Preventive Maintenance Program. At the time, sewer flow conditions were observed to be normal. Blockages of rocks and debris do not occur regularly. We believe the rocks and debris may have been illegally dumped into the main sewer line by construction workers from a nearby construction site.

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

On March 16, 2010, this segment of the main sewer line was inspected by closed-circuit television. The inspection revealed the presence of fine to medium roots in some joints along the main line, but the roots were not obstructing sewage flow. To prevent a reoccurrence of a flood out, the main sewer line was placed on a bi-monthly hydro periodic, and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. The main sewer line will also continue to be inspected semi-annually as part of the Preventive Maintenance Program.

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

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 a Countywide implication.
- 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) <i>Steven G. Steinhoff</i>	Date: 5/17/2011
Signature: (Director) Gail Farber <i>Gail Farber</i>	Date: 5-25-11

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	Date:
Signature: <i>LEO COSTANTINO</i>	Date: 6/6/2011

WHL
TL:psr
P4:LEXINGTON INS SCAP1

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of the Interinsurance Exchange of the Automobile Club
CASE NUMBER	N/A
COURT	N/A
DATE FILED	December 24, 2008
COUNTY DEPARTMENT	Public Works – Sewer Maintenance District
PROPOSED SETTLEMENT AMOUNT	\$ 33,819.64
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer back-up at the residence of an insured of the Interinsurance Exchange of the Automobile Club ("AAA") located in the City of Baldwin Park. A County sewer crew investigated the complaint and found that wastewater from a sewer main line entered the home through its lateral line due to a blockage in the sewer main line. The wastewater affected several rooms, including the master bedroom, front and rear bathrooms, hallways, and the exterior landscaping. The County crew rodded the mainline and relieved a stoppage created by

tree roots. The sewer mainline is maintained by the County as part of the Consolidated Sewer Maintenance District.

Due to the inherent risks and uncertainties involved in a trial, and 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.

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	1,240
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Summary Corrective Action Plan
County of Los Angeles Department of Public Works

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Claim:	Rodolpho S. Ileto, Jr.
Date of incident/event:	June 3, 2008
Briefly provide a description of the incident/event:	<p>This claim is the result of a sewer backup that occurred on June 3, 2008. Sewer Maintenance Division (SMD) did not receive a service request at the incident location on the incident date; however, they did receive a service request on June 4, 2008, regarding a manhole overflow at the claimant's neighbor's property located at 4004 Walnut Street. The County-maintained main sewer line located on Walnut Street in the City of Baldwin Park became blocked due to a grease and rag stoppage. The responding SMD crew observed that wastewater was overflowing out of Manhole No. 593 of Sewer District Map No. E-2169. While the SMD crew was attending to the overflow, they were approached by the claimant, who informed them of the damage to his property. Upon review of the claimant's residence at 3951 Walnut Street, the SMD crew observed sewage overflowing from the plumbing fixtures.</p>

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

The sewer backup was due to a grease and rag stoppage in the County-maintained main sewer line.

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)

To prevent recurrence of the floodout, the main sewer line was placed on a 90-day hydro periodic schedule. The main sewer line will also continue to be inspected under the preventive maintenance inspection program. A notice was delivered to 3951 Walnut Street, advising the resident to install a backflow valve on his private sewer lateral and to maintain the backflow in a safe and sanitary condition.

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)	Date:
Steven G. Steinhoff <i>[Signature]</i>	6-25-2012
Signature: (Director)	Date:
Gail Farber <i>[Signature]</i>	6-27-12.

WVW
FA

Chief Executive Office Risk Management Branch

Name:	Date:
LEO COSTANTINO	
Signature:	Date:
<i>[Signature]</i>	6-20-2012

[Signature] CC:psr
 P4:ILETO SCAP

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated Claim of the Jose Enrique Medina
CASE NUMBER	N/A
COURT	N/A
DATE FILED	October 1, 2011
COUNTY DEPARTMENT	Public Works – Sewer Maintenance District
PROPOSED SETTLEMENT AMOUNT	\$ 31,692.44
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer back-up at the residence of Jose Medina located in the City of Whittier, on August 28, 2011. A County sewer crew investigated the complaint and found that wastewater from a sewer main line entered the home through its lateral line due to a blockage in the sewer main line. The wastewater affected several rooms. The County crew rodded the mainline and relieved a stoppage created by tree roots. The sewer mainline is maintained by the County as part of the Consolidated Sewer Maintenance District.



Summary Corrective Action Plan

County of Los Angeles Department of Public Works



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Claim/Lawsuit: Date of incident/event:	Jose Medina August 28, 2011
Briefly provide a description of the incident/event.	<p>On August 28, 2011, the main sewer line located near 11314 and 11325 Spy Glass Road, in the unincorporated Whittier area, experienced a backup that caused wastewater to flood the residences at the aforesaid locations. A Sewer Maintenance Division (SMD) crew responded to the locations and observed overflow from Manhole No. 49 of Sewer Maintenance District Map C-2075. The crew also observed signs of a floodout into the bathrooms, bedrooms, and hallways at the residences.</p> <p>The crew contained the overflow with a vactor and absorbent socks to prevent the wastewater from flowing into the storm drain catch basin. The crew also hydroed and rodded the main sewer line between Manhole Nos. 47 and 49 to relieve the stoppage, which was caused by heavy roots.</p>

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

The cause of the sewer backup was due to heavy roots in the main sewer line.

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

This segment of the main sewer line was placed on a quarterly rodder periodic schedule to prevent future blockage and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. It will also continue to be inspected on a semi-annual basis.

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

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 a Countywide implication.
- 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)	Date:
Steven G. Steinhoff <i>SG Steinhoff</i>	MAY 9, 2012
Signature: (Director)	Date:
Gail Farber <i>Gail Farber</i>	5-22-12.

Chief Executive Office Risk Management Branch

Name:	Date:
<i>LEO COSTANTINO</i>	
Signature:	Date:
<i>LM</i>	5/29/12

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated Claim of the Shmuel Adi
CASE NUMBER	N/A
COURT	N/A
DATE FILED	November 29, 2011
COUNTY DEPARTMENT	Public Works – Sewer Maintenance District
PROPOSED SETTLEMENT AMOUNT	\$ 44,710.84
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This non-litigated claim involves property damages arising from a sewer back-up at the residence of Shmuel Adi located in the Agoura Hills on November 19, 2011. A County sewer crew investigated the complaint and found that wastewater from a sewer main line entered the home through its lateral line due to a blockage in the sewer main line. The wastewater affected several rooms. The County crew rodded the mainline and relieved a stoppage created by tree roots. The sewer mainline is maintained by the County as part of the Consolidated Sewer Maintenance District.

Due to the inherent risks and uncertainties involved in a trial, and 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.

PAID ATTORNEY FEES, TO DATE \$ 0

PAID COSTS, TO DATE \$ 0

4712



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

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Claim:	Sam Adi
Date of incident/event:	November 19, 2011
Briefly provide a description of the incident/event:	<p>This is a sewage backup that occurred at 5565 Agoura Glen Drive in the City of Agoura Hills. The effluent overflowed into various rooms of the residence and caused damage to the interior and the personal property of the claimant.</p> <p>On the day of the incident, Sewer Maintenance Division received a service request concerning a sewage floodout at the claimant's residence. A sewer maintenance crew responded to the location and confirmed the existence of a main sewer line blockage. The sewer maintenance crew proceeded to rod the main sewer line between Manhole Nos. 237 and 238 along Valley Heights Drive to break down the blockage.</p> <p>Remediation under the Rapid Response Program was initiated at that time. Carl Warren & Company contacted ATI to provide clean up services. Subsequently however, the claimant released and replaced ATI with his own contracted vendor.</p>

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

According to Sewer Maintenance Division, the sewer backup was primarily caused by a calcium buildup along with roots in the main sewer line. The main sewer line was last inspected on June 17, 2011, as part of the Preventive Maintenance Program. At that time, sewer flow conditions were observed to be normal.

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

To prevent a reoccurrence of a floodout, the main sewer line was placed on a quarterly hydro periodic and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. The main sewer line will also continue to be inspected semi-annually as part of the Preventive Maintenance Program.

QB 4/25/12

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

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)	Date:
Steven G. Steinhoff <i>SG Steinhoff</i>	APRIL 30, 2012
Signature: (Director)	Date:
Gail Farber <i>Gail Farber</i>	5-21-12.

Chief Executive Office Risk Management Branch

Name:	<i>LEO COSTANTINO</i>	Date:
Signature:	<i>[Signature]</i>	Date: <i>4/20/2012</i>

YTL

YTL:psr
 P4:VAD/SCAP2

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Samantha Industry Plaza
CASE NUMBER	N/A
COURT	N/A
DATE FILED	4/3/2009
COUNTY DEPARTMENT	Sheriff's
PROPOSED SETTLEMENT AMOUNT	\$ 21,500.79
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>This non-litigated claim involves a real property damage claim allegedly caused by a Sheriff's deputy who lost control of his vehicle and collided into a building. There was major damage to the store front windows, framing, tile floors, wall paneling, wall framing, carpet and drywall and including the landscaping.</p> <p>Due to the inherent risks and uncertainties involved in a trial, and the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was</p>

eventually able to develop this
recommended settlement.

PAID ATTORNEY FEES, TO DATE \$ 0

PAID COSTS, TO DATE \$ 0

Case Name: Claim of Samantha Industry Plaza



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:	Wednesday, November 5, 2008, 4:43 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Claim of Samantha Industry Plaza</u> Summary Corrective Action Plan #2010-014</p> <p>On Wednesday, November 5, 2008, at approximately 4:43 a.m., an on-duty Los Angeles County deputy sheriff was driving a county-owned, standard black and white patrol vehicle west on Valley Boulevard, west of Proctor Avenue, City of Industry, when the vehicle he was driving collided with the claimant's vacant commercial property.</p>

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

The County of Los Angeles is liable for damages proximately caused by an act or omission of an employee within the course of his or her employment if the act or omission would have given rise to a cause of action against that employee.

The claimant alleged that as a result of this traffic collision, damage to a vacant commercial building occurred.

The patrol vehicle the deputy was driving at the time of the incident, a 2003 Ford Crown Victoria, California License Number 1149359, 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 procedures/protocols in effect at the time of the incident.

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

This traffic collision was thoroughly investigated by representatives from the Los Angeles County Sheriff's Department. Their investigation determined that the deputy sheriff caused the traffic collision by violating California Vehicle Code Section 22350, Unsafe Speed.

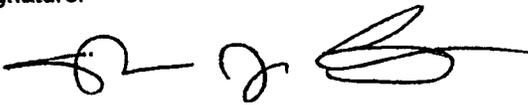
County of Los Angeles
Summary Corrective Action Plan

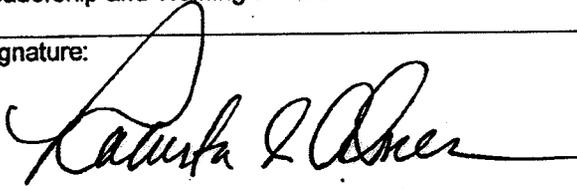
The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

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)

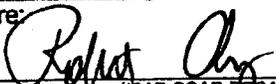
- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Acting Captain Risk Management Bureau	
Signature: 	Date: 6/1/10

Name: (Department Risk Manager) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 6/1/10

Chief Executive Office Risk Management Branch

Name: Robert Chavez	
Signature: 	Date: 07-02-10

Risk Mgt. Inspector General/CAP-SCAP-RECAP/Summary Corrective Action Plan Form 2-01-10 (Final).docx

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Judith Gonzalez, et al. v. County of Los Angeles
CASE NUMBER	MC019520
COURT	Lancaster Superior Court
DATE FILED	September 4, 2008
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 750,000
ATTORNEY FOR PLAINTIFF	Moreno, Becerra & Casillas
COUNTY COUNSEL ATTORNEY	Gordon Trask
NATURE OF CASE	<p>Plaintiffs, the Estate of Cesar Gonzalez Baez, his heirs, and successors in interest, allege that on December 7, 2007, decedent Cesar Gonzalez Baez died as the result of negligence or indifference of Sheriff's personnel.</p> <p>The Sheriff's Department contends that Mr. Baez died from an unforeseeable accident.</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 entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the</p>

amount of \$750,000 is recommended.

PAID ATTORNEY FEES, TO DATE \$ 191,181

PAID COSTS, TO DATE \$ 26,858

Case Name: Judith Gonzalez, et al. v. County of Los Angeles, et al.



Summary Corrective Action Plan

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Date of incident/event:	Wednesday, December 5, 2007; approximately 2:25 p.m.
Briefly provide a description of the incident/event:	<p><u>Judith Gonzalez, et al. v County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-004</p> <p>On Wednesday, December 5, 2007, at approximately 2:25 p.m., the decedent, a civil detainee held at the Los Angeles County Sheriff's Department's Mira Loma Detention Facility, was a member of a work crew. He was operating a pneumatic-powered jackhammer when the jackhammer came into contact with a high-voltage underground cable.</p> <p>The decedent was transported to Antelope Valley Medical Center for initial treatment, and subsequently transferred to Los Angeles County/University of Southern California Medical Center where he succumbed to his injuries.</p>

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

The plaintiff, wife of the decedent, alleged deliberate indifference to the safety and security of her husband and, as a result, has suffered the loss of care, comfort, and society.

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

In conjunction with the State of California Division of Occupational Safety and Health (Cal/OSHA), the Los Angeles County Sheriff's Department implemented a number of new, safety-related policies and procedures/protocols designed to promote safe working conditions. In addition, the Los Angeles County Sheriff's Department enhanced its training curriculum to address the circumstances which occurred in this incident. The new, safety-related policies and procedures/protocols are detailed in the full corrective action plan.

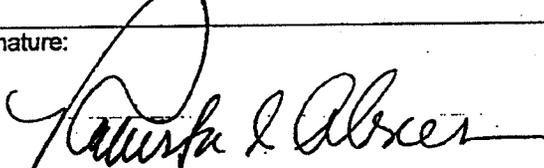
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County of Los Angeles
Summary Corrective Action Plan

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.

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 6/25/12

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 6/26/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 7/10/2012

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COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

July 2, 2012

1. Call to Order.

This 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: John Naimo, Steven NyBlom, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Brian Chu, Jennifer Lehman, Joseph Langton and Jonathan McCaverty; Department of Public Works: Michael Hays and Shawn Danaei; Sheriff's Department: Lt. Patrick Hunter.

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 9:35 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(e) below.

4. Report of actions taken in Closed Session.

At 10:40 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Claim of Certain Underwriters at Lloyd's of London

This claim seeks compensation for damages to real and personal property caused by a broken water main owned and operated by the County Waterworks District.

Action Taken:

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

Vote: Ayes: 3 – John Naimo, Steven NyBlom, and Patrick Wu

b. **Angela Huerta v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. VC 056 784

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 \$33,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

c. **Jaime Zurita v. County of Los Angeles, et al.**
United States District Court Case No. CV 11-01552

This lawsuit concerns allegations of false arrest and 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 \$400,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

d. **Kerry Kae Robinson v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 415 891

This lawsuit concerns allegations of false arrest and 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 \$600,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

e. **D.M.C., et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 433 664

This lawsuit seeks compensation for minors for the alleged wrongful death of their father caused by Sheriff's Deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$900,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

5. **Approval of the minutes of the June 18 2012, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

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 10:48 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson