



# COUNTY OF LOS ANGELES

## CLAIMS BOARD

500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

### MEMBERS OF THE BOARD

John Naimo  
Auditor-Controller  
Steve Robles  
Chief Executive Office  
Roger H. Granbo  
Office of the County Counsel

### NOTICE OF MEETING

The County of Los Angeles Claims Board will hold a regular meeting on **Monday, May 1, 2017, at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

### AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).
  - a. David Gutierrez, et al. v. Los Angeles County Fire Department, et al.  
Los Angeles Superior Court Case No. BC 583 430  
  
This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Fire Department pickup truck; settlement is recommended in the amount of \$27,000.  
  
See Supporting Document
  - b. Non-Litigated Claims of Lu Yi Yang and State Farm Mutual Automobile Insurance Company  
  
This subrogation claim seeks reimbursement of Lu Yang's out of pocket expenses and the insurance benefits that State Farm Mutual Automobile Insurance Company paid to its insured due to a collision involving a Sheriff's Department patrol car; settlement is recommended in the amount of \$50,864.59.  
  
See Supporting Document

- c. Martin Barco v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 605 518

This lawsuit alleges that an employee from the Department of Public Works was subjected to disability discrimination, harassment and that the Department failed to engage in the interactive process or provide a reasonable accommodation; settlement is recommended in the amount of \$299,000.

- 4. Report of actions taken in Closed Session.
- 5. Approval of the minutes of the April 17, 2017, regular meeting of the Claims Board.

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.
- 7. Adjournment.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	David Gutierrez, et al. v. Los Angeles County Fire Department, et al.
CASE NUMBER	BC583430
COURT	Los Angeles Superior Court
DATE FILED	May 29, 2015
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 27,000
ATTORNEY FOR PLAINTIFF	Noriel L. Flores Law Offices of Noriel L. Flores
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on November 16, 2013, at the intersection of Rosemead Boulevard and Emperor Avenue in Temple City, when a vehicle driven by a Fire Department employee collided with a vehicle driven by plaintiff David Gutierrez. Plaintiff Robert Parra was seated in the right, front seat and plaintiff Roberto Lopez was seated behind Mr. Gutierrez in Mr. Gutierrez's vehicle. All three plaintiffs claim to have suffered injuries as a result of the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 44,585
PAID COSTS, TO DATE	\$ 2,987

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Lu Yi Yang and State Farm Mutual Automobile Insurance Company ASO Lu Yi Yang
CASE NUMBER	N/A
COURT	N/A
DATE FILED	December 21, 2015 (State Farm); February 4, 2016 (Ms. Yang)
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$50,864.59
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Jessica C. Rivas
NATURE OF CASE	This is a non-litigated claim filed by State Farm Mutual Automobile Company ASO Lu Yi Yang seeking reimbursement for property damage to its insured driver's vehicle caused by a Sheriff's Deputy in a November 30, 2015 traffic collision. This is also a non-litigated claim filed by Lu Yi Yang for her out of pocket expenses and the diminished value of her vehicle. Liability is adverse to the County. Thus, a full and final settlement of the claims in the amount of \$50,864.59 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ \$550

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

APRIL 17, 2017

1. **Call to Order.**

This meeting of the County of Los Angeles Claims Board was called to order at 9:32 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: Chair John Naimo, Steve Robles, and Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Richard Kudo, Millicent Rolon, and Richard Brower; Department of Public Works: Sree Kumar and Dominic Osmena; Sheriff's Department: Joseph Dempsey, April Carter, Kevin Percy, and Dominic Dannan; Probation Department: Jacklin Injijian; Department of Public Health: Ferdows Rashidian and Nichole Alcaraz.

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.**

One member 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 9:36 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 10:16 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. **Non-Litigated Claim of Los Angeles County Flood Control District Against BD Classic Enterprises, Inc.**

This is a claim by the Los Angeles County Flood Control District for reimbursement against BC Classic Enterprises, Inc. for costs expended in the cleaning up and disposing of toxic and hazardous discharge that entered into the County's storm drain system arising out of a fire that originated at BD Classic Enterprises.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$475,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

b. **Valentino Bocanegra, aka Jose Gonzalezbocanegra v. City of Palm Springs, et al.**  
**Riverside Superior Court Case No. INC 1204308**

This lawsuit alleges Plaintiff was falsely arrested based on a warrant for someone else and then incarcerated by the Sheriff's Department beyond the time he should have been held.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$395,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

c. **Eric Usher, III, a minor by and through his Guardian Ad Litem, Kathryn McGuigan v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 621 091**

This lawsuit alleges civil rights violations and false imprisonment by Plaintiff against the Probation Department.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$125,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

d. **Olga Gutierrez v. County of Los Angeles.**  
**Los Angeles Superior Court Case No. VC 064 684**

This lawsuit alleges that an employee from the Registrar-Recorder/County Clerk was subjected to discrimination, harassment, and retaliation.

Action Taken:

This matter was returned to County Counsel.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

e. **Arnoldo Juarez v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 582 444**

This lawsuit alleges that an employee from the Department of Public Health was subjected to retaliation, discrimination, and harassment based on race and national origin.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$350,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

5. **Approval of the minutes of the April 3, 2017, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

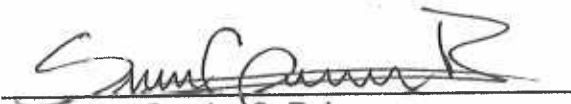
6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:17 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By   
Sandra E. Ruiz