

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD IN THE CITY OF NORWALK, COMMUNITY MEETING CENTER
SPROUL ROOM, 13200 CLARKSDALE AVENUE, NORWALK,
CALIFORNIA 90650

ON

WEDNESDAY, SEPTEMBER 20, 2017, AT 11:00 AM

Members Present: Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Ken Striplin, Mark Waronek, and Marcel Rodarte

Alternates Present: Reve Feldman, Darrell George, Steve Hofbauer, Lindsey Horvard, and Steve Mandoki

1. **Call to Order.**
2. **Opportunity for members of the public to address the Contract Cities Liability Trust Fund 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. Lizbeth Diaz-Hung v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 620104

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken.

- b. Esther Mercado v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 593917

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the Settlement of this matter in the amount of \$50,000.

Vote: Ayes: 10 - Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Ken Striplin, Mark Waronek, and Marcel Rodarte

[See Supporting Document](#)

- c. Terry Smoot, Jr. v. County of Los Angeles, et al.
United States District Court Case No. 2:16-CV-02626

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$34,000.

Vote: Ayes: 10 - Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Ken Striplin, Mark Waronek, and Marcel Rodarte

[See Supporting Document](#)

4. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

- a. Corozon Alviator v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 543100

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action taken:

No reportable action taken.

- b. Rosa Linda Bellman v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 2:16-CV-02626

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action taken:

No reportable action taken.

- c. A. G., et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:17-CV-00753

This lawsuit concerns allegations of federal civil rights and wrongful death by a Sheriff's Deputy.

Action taken:

No reportable action taken.

- d. Miguel Hernandez, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:16-CV-09412

This lawsuit concerns allegations of federal civil rights and wrongful death by a Sheriff's Deputy.

Action taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The Contract Cities Liability Trust Fund Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Items No. 3 and No. 4 above.

6. Approval of the minutes of the August 9, 2017, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 10 - Curtis Morris, Mark Alexander, James Bozajian, Ray Cruz, Margaret Finlay, Patrick Kearney, Dough Prichard, Ken Striplin, Mark Waronek, and Marcel Rodarte

[See Supporting Document](#)

- 7. 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.

- 8. Other Business.**

None

- 9. Adjournment.**

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Esther Mercado v. County of Los Angeles, et al.
CASE NUMBER	BC593917
COURT	Los Angeles Superior Court
DATE FILED	September 8, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Michael R. Rhames Michael R. Rhames & Associates, PC
COUNTY COUNSEL ATTORNEY	Jessica C. Rivas Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on January 28, 2015, in La Puente, when a vehicle driven by a Sheriff's Deputy collided with a vehicle driven by Esther Mercado. Ms. Mercado claims 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	\$ 7,083
PAID COSTS, TO DATE	\$ 1,825

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Terry Smoot, Jr. v. County of Los Angeles, et al.
CASE NUMBER	2:16-CV-02626
COURT	United States District Court
DATE FILED	October 31, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 34,000
ATTORNEY FOR PLAINTIFF	Law Offices of Christine Green
COUNTY COUNSEL ATTORNEY	Edwin Lewis Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$34,000, the lawsuit filed by Terry Smoot, Jr. alleging civil rights violations, excessive force, and false arrest and imprisonment.</p> <p>The Deputies deny the allegations and contend their actions were reasonable.</p> <p>Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$34,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 32,539
PAID COSTS, TO DATE	\$ 706

**COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND
CLAIMS BOARD**

MINUTES OF MEETING

August 9, 2017

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Curtis Morris at 11:19 a.m. The meeting was held in the Community Meeting Center, Sproul Room, 13200 Clarkdale Avenue, Norwalk, CA 90650.

Present at the meeting were **Claims Board Members:** Curtis Morris, Chair, At-Large; Mark Alexander, East Division; James Bozajian, North Division; Margaret Finlay, East Division; Doug Prichard, At-Large; Ken Striplin, North Division; Mark Waronek, South Division; Jose Pulido, Central Division; Marcel Rodarte, California Contract Cities Association; Mike Davitt, California Contract Cities Association; **Alternate:** Reva Feldman, At Large; Lindsey Horvath, At Large; Patrick Kearney, Central Division; Steve Mandoki, Central Division; **County of Los Angeles Staff:** Ruben Baeza, Assistant County Counsel; Millicent L. Rolon, Principal Deputy County Counsel; Armita Radjabian, Deputy County Counsel; Buddy Goldman, Los Angeles Sheriff's Department; Maxine Kallenberger, Los Angeles Sheriff's Department; Chris Deacon, Los Angeles Sheriff's Department; Richard Debruijn, Los Angeles Sheriff's Department; Donnie Mauldin, Los Angeles Sheriff's Department; Donald Moore, Los Angeles Sheriff's Department; John McBride, Los Angeles Sheriff's Department; **Attendees:** Karen Bartak, Bedford Falls Insurance; **Outside Counsel:** Christie Swiss, Attorney at Law, Collins Collins, Muir & Stewart; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims Manager, Carl Warren & Company; **California JPIA:** Paul Zeglovitch, Liability Program Manager; Lyndsie Buskirk, Office Assistant; Denise Covell, Administrative Assistant.

2. Public Comment

Members of the public were provided the opportunity to address the Contract Cities Liability Trust Fund Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board. No members of the public addressed the Board.

At 11:22 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9)

- a. Amanda Anderson, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-50280

This lawsuit concerns allegations of violation of constitutional rights by Los Angeles Sheriff's Department and Department of Children and Family Services.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors and settlement of this matter in the amount of \$200,000.

Vote: Ayes: 8 - Curtis Morris, Marcel Rodarte, Margaret Finlay,
Mark Waronek, Ken Striplin, Mark Alexander, James
Bozajian, Doug Prichard

Absent: Michael Egan

- b. Gerardo Felix v. Los Angeles County Sheriff, et al.
Los Angeles Superior Court Case No. BC 0560405

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the Settlement of this matter in the amount of \$75,000.

Vote: Ayes: 8 - Curtis Morris, Marcel Rodarte, Margaret Finlay,
Mark Waronek, Ken Striplin, Mark Alexander, James
Bozajian, Doug Prichard

Absent: Michael Egan

- c. Karen April Payan v. Michael Lloyd Bryant, et al.
Los Angeles Superior Court Case No. BC 612589

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$25,000.

Vote: Ayes: 8 - Curtis Morris, Marcel Rodarte, Margaret Finlay,
Mark Waronek, Ken Striplin, Mark Alexander, James
Bozajian, Doug Prichard

Absent: Michael Egan

- d. Timothy Paynter, et al. v. County of Los Angeles
Lancaster Superior Court Case No. MC 024475

Silvia Morillon, et al. v. County of Los Angeles, et al.
Lancaster Superior Court Case No. MC 024976

This lawsuit concerns allegations of wrongful death and automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors and settlement of this matter in the amount of \$4 million.

Vote: Ayes: 8 - Curtis Morris, Marcel Rodarte, Margaret Finlay, Mark Waronek, Ken Striplin, Mark Alexander, James Bozajian, Doug Prichard

Absent: Michael Egan

4. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9)

- a. Allison Ewart v. Gillian Verner, et al.
Los Angeles Superior Court Case No. BC 522492

This lawsuit concerns allegations of vehicular negligence by a Sheriff's Deputy.

Action taken:

No reportable action taken.

- b. Claim of Estate of Armando Garcia
File Claim No. 17-1137846*001

This claim involves allegations of excessive force shooting and wrongful death by a Sheriff's Deputy.

Action taken:

No reportable action taken.

- c. Sergio Cruz Gonzalez v. Los Angeles County Sheriff's Department, et al.
Los Angeles Superior Court Case No. BC 601062

This lawsuit concerns allegations of automobile accident involving a Sheriff's Deputy.

Action taken:

No reportable action taken.

- d. Amalia and Gumercindo Martinez v. U-Haul, et al.
Los Angeles Superior Court Case No. BC 582943

This lawsuit concerns allegations of automobile accident involving a malfunctioning traffic light.

Action taken:

No reportable action taken.

- e. Louise Olin v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 551857

This lawsuit concerns allegations of vehicular negligence by a Sheriff's Deputy.

Action taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 1:42 p.m. No action was taken in Closed Session which required a public report pursuant to Government Code section 54957.1.

6. Approval of the Minutes for July 12, 2017, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 8 - Curtis Morris, Marcel Rodarte, Margaret Finlay, Mark Waronek, Ken Striplin, Mark Alexander, James Bozajian, Doug Prichard

Absent: Michael Egan

7. Items Not on the Posted Agenda, to be Referred to Staff or Placed on the Agenda for Action at a Further Meeting of the Contract Cities Liability Trust Fund Claims 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

None

8. Other Business

None

9. Adjournment

There being no further business, the meeting was adjourned at 1:44 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD


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