



County of Los Angeles

April 9, 2024

Dawyn R. Harrison
County Counsel

Board of Supervisors

Hilda L. Solis
Supervisor, First District

Holly Mitchell
Supervisor, Second District

Lindsey P. Horvath
Supervisor, Third District

Janice Hahn
Supervisor, Fourth District

Kathryn Barger
Supervisor, Fifth District

TO: JEFF LEVINSON
Interim Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda
County Claims Board Recommendation
Jerry Mostad v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV43700**



Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

AMB:rm

Attachment

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Jerry Mostad v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 20STCV43700, in the amount of \$2,750,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Public Works' budget.

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Department of Public Works employee.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jerry Mostad v. County of Los Angeles, et al.
CASE NUMBER	20STCV43700
COURT	Los Angeles Superior Court
DATE FILED	November 13, 2020
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 2,750,000
ATTORNEY FOR PLAINTIFF	ROBERT P. SIEVERS, ESQ. Sievers Law Firm P.C.
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle intersection collision that occurred on February 1, 2020, in the City of Whittier, when a County owned Ford pickup truck driven eastbound on Slauson Avenue by an on-duty employee of the Department of Public Works entered the Slauson Avenue/Santa Fe Springs Road intersection against a red signal light and broadsided the passenger side of Jerry Mostad's ("Plaintiff's") Nissan sedan, which was traveling southbound on Santa Fe Springs Road and had a green signal light. Plaintiff claims to have suffered injuries and damages from 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	\$ 18,201
PAID COSTS, TO DATE	\$ 80,869

MOSTAD, JERRY



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:	February 1, 2020
Briefly provide a description of the incident/event:	On February 1, 2020, a Public Works Laborer with Road Maintenance Division was driving a County vehicle eastbound on Slauson Avenue when he entered an intersection on a red light. As a result, the employee collided with another vehicle traveling southbound on Santa Fe Springs Road. The Traffic Collision Report found the employee at fault for entering an intersection on a red light, which is in violation of California Vehicle Code Section 21453(a).

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


- A. The collision occurred due to the employee entering an intersection on a red light, which is in violation of California Vehicle Code Section 21453(a).
- B. The employee claimed the sun obstructed his view and, as a result, he failed to stop at the red light.


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

- 1. On November 16, 2020, the employee received a Written Reprimand memorandum.
- 2. On June 8, 2020, the employee completed the 8-hour Commercial Driver Brush-Up and Evaluation training.


3. Are the corrective actions addressing department-wide system issues?

- Yes - The corrective actions address department-wide system issues.
- No - The corrective actions are only applicable to the affected parties.


Name: (Acting Risk Manager) Jeffrey Howard	
Signature: 	Date: 12/5/2023

Name: (Deputy Director) Steve Burger	
Signature: 	Date: 12/28/23

AEN

Name: (Department Head) Mark Pestrella	
Signature: 	Date: 1/4/2024

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	

Name: (Risk Management Inspector General) Daniela Prowizor	
Signature: 	Date: 1/8/2024