



County of Los Angeles

September 10, 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: EDWARD YEN  
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  
Michael Medina v. Robert Steven Gomez, et al.  
Los Angeles Superior Court Case No. 20STCV23841**



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, Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

AMB:lzs

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Michael Medina v. Robert Steven Gomez, et al., Los Angeles Superior Court Case No. 20STCV23841, in the amount of \$250,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Parks and Recreation's budget.

This lawsuit arises from alleged injuries Plaintiff sustained in a vehicle accident involving an employee of Parks and Recreation.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

|                             |  |
|-----------------------------|--|
| CASE NAME                   | Michael Medina vs. Robert Steven Gomez, et al.   |
| CASE NUMBER                 | 20STCV23841  |
| COURT                       | Los Angeles Superior Court   |
| DATE FILED                  | June 23, 2020  |
| COUNTY DEPARTMENT           | Department of Parks & Recreation   |
| PROPOSED SETTLEMENT AMOUNT  | \$ 250,000   |
| ATTORNEY FOR PLAINTIFF      | Sam Shimon Soleimany, Esq.<br>Law Offices of DeWitt Algorri & Algorri  |
| COUNTY COUNSEL ATTORNEY     | Kevin J. Engeliem, Esq.<br>Senior Deputy County Counsel  |
| NATURE OF CASE              | <p>This lawsuit arises from a low-speed automobile accident involving a Los Angeles County-owned and operated vehicle. On July 1, 2019, while making a left turn into a parking space at a CVS Pharmacy, Department of Parks and Recreation employee, Robert Steven Gomez's vision was obstructed by the sun, and failed to notice the Plaintiff's vehicle approaching him, who had the right-of-way. Plaintiff alleges he was injured and filed a lawsuit.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 74,928  |
| PAID COSTS, TO DATE         | \$ 49,769  |



## 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 1, 2019   |
| Briefly provide a description of the incident/event: | <p>On July 1, 2019, Plaintiff was involved in a low speed auto accident with a County owned and operated vehicle that resulted in personal injuries. The Plaintiff was delivering flowers to a CVS in Norwalk when he collided with the County vehicle in the parking lot. The Plaintiff was operating a 2015 Mercedes Sprinter van and the COLA driver was operating a 2006 Ford F350 Truck. The COLA driver hit Plaintiff's vehicle as he entered the parking lot and was attempting to make a left handed turn into one of the first available parking spaces. Damages to both vehicles were minor.</p> |

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


Failure of the County driver to observe other vehicles for clearance prior to turning into a parking space.

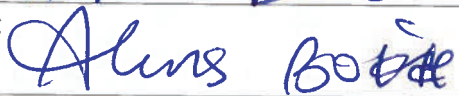
2. Briefly describe recommended corrective actions:  
 (Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)


1. The incident was reviewed by the Department's Accident Review Committee and the COLA driver received verbal counseling by their immediate Manager.
2. The Department's Accident Review Committee has revised its guidelines to ensure a more consistent process for addressing vehicle accidents in the future to improve employee accountability.
3. The Department will implement mandatory online Defensive Driver Training for all staff who are required to drive for on County business. Behind-the-wheel Defensive Driver Training is also available on an as-needed basis and managed by the Department's Accident Review Committee.

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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.

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|--|--------------------|
| Name: (Risk Management Coordinator)<br>Devyne Dawson   |                    |
| Signature:  | Date:<br>5/16/2024 |

|  |              |
|--|--------------|
| Name: (Department Head or designee)<br>ALINA BOKDE   |              |
| Signature:  | Date: 6/7/24 |

|   |                    |
|---|--------------------|
| <b>Chief Executive Office Risk Management Inspector General USE ONLY</b>  |                    |
| 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)<br>Daniela Prowizor   |                    |
| Signature:  Daniela Prowizor | Date:<br>6/20/2024 |
| <small>Digitally signed by Daniela Prowizor<br/>Date: 2024.06.20 11:53:00 -07'00'</small>                       |                    |