



County of Los Angeles

January 7, 2025

Dawyn R. Harrison
County Counsel

Board of Supervisors

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Supervisor, First District

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Supervisor, Second District

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Supervisor, Third District

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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
Maria Isabel Clark, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV11177**



Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is 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 Maria Isabel Clark, et al. v County of Los Angeles, et al., Los Angeles Superior Court Case No. 20STCV11177, in the amount of \$1,900,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Office of the Public Defender's budget.

This lawsuit arises from injuries allegedly sustained when Plaintiff Clark was struck by a vehicle driven by an employee of the Office of the Public Defender.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Maria Clark, et al. vs County of Los Angeles, et al.
CASE NUMBER	20STCV11177
COURT	Los Angeles Superior Court
DATE FILED	3/18/2020
COUNTY DEPARTMENT	Office of the Public Defender
PROPOSED SETTLEMENT AMOUNT	\$ 1,900,000
ATTORNEY FOR PLAINTIFF	John Girardi John Girardi Law, APC
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Senior Deputy County Counsel
NATURE OF CASE	<p>On April 5, 2019, a vehicle driven by an Office of the Public Defender employee struck Plaintiff Maria Clark as she walked with his son, Plaintiff Jose Rey, in the parking structure of the West Covina Courthouse. Plaintiffs allege the collision caused injuries for which they seek compensation.</p> <p>Given the risked and uncertainties of litigation, a full and final settlement of the case in the amount of \$1,900,000 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 155,474
PAID COSTS, TO DATE	\$ 72,442



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:	April 5, 2019
Briefly provide a description of the incident/event:	At approximately 8:30 a.m., plaintiffs parked their vehicle on the top level of a Los Angeles Superior Court parking structure and were walking near each other in a crosswalk, towards a staircase near the parking lot entrance ramp, when plaintiff was struck by a vehicle driven by a County employee, who was driving during the course and scope of their employment. Plaintiff sustained injuries and was transported to the hospital. The driver indicated she did not see plaintiff because she was driving from a shaded area into bright sun, which caused a visibility issue due to the glare.

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

The County driver did not see the pedestrian walking in front of her vehicle as she was driving up the parking lot ramp due to poor visibility from the glare of the sun. The location of the pedestrian walkway crossing the top of the ramp that led to the upper level of the parking lot created a safety hazard.

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

Corrective Action 1: Ensure all mileage permittees and other staff driving to conduct County business have safe driver training every two years.

Corrective Action 2: Form a safety review committee to evaluate all traffic collisions within the Department to determine the root causes and corrective action as necessary.

Due Date: April 1, 2025
Corrective Action 3: Explore the feasibility of re-striping the pedestrian walkway further away from the vehicle ramp.
Due Date: June 15, 2025

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: (Risk Management Coordinator) <i>Jon Truchez</i>	
Signature: <i>[Signature]</i>	Date: 10-22-24

Name: (Department Head) <i>Ricardo D. Garcia</i>	
Signature: <i>[Signature]</i>	Date: 10-22-24

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)		
Betty Karmirlian, Acting Risk Management Inspector General	<i>Betty Karmirlian</i>	10/22/2024

Signature:	Date:
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