

STATEMENT OF PROCEEDINGS

FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD

HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,

500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

ON MONDAY, FEBRUARY 3, 2020, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.

1. Call to Order.
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.

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. Mirna Amaya, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 656724

This lawsuit arises from negligent mishandling of a decedent's remains by the actions of Department of Medical Examiner-Coroner employees.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

- b. Nicholas Rodriguez, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 632837

This dangerous condition lawsuit against the Department of Public Works arises from injuries sustained in a single vehicle accident in the unincorporated area of the County near Santa Clarita.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,000,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

c. **Gabriela Pena, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 721748

This lawsuit arises from alleged injuries sustained due to a vehicle accident involving a Department of Public Works employee.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$85,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

d. **Emerson Lopez v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV04548

This lawsuit arises from alleged injuries sustained due to a vehicle collision involving a Fire Department fire engine.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$37,500.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

e. **Jordan Moseley v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV05896

This lawsuit arises from alleged injuries sustained due to a vehicle collision involving a Fire Department fire engine in the City of Inglewood.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$40,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

f. **Teddy Yap v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV14397

This lawsuit arises from damages sustained due to a vehicle accident involving a Public Defender employee.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$25,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

g. **Lonnie Moore v. Los Angeles County Sheriff's Department, et al.**
Los Angeles Superior Court Case No. BC 659742

This lawsuit arises from alleged injuries sustained due to a vehicle collision involving a LASD Deputy Sheriff.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$39,500.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

h. **Geico General Insurance Company v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV04064

This lawsuit arises from a traffic collision between a LASD transportation bus and a civilian vehicle.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$40,964.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

i. **Dana Camarillo v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 474290

This lawsuit concerns allegations that a former Sheriff's Sergeant was retaliated against and subjected to gender national origin discrimination.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,000,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

4. **Report of actions taken in Closed Session.**

The Claims Board reconvened in open session and reported the actions taken in Closed Session as indicated under Agenda Item No. 3 above.

5. **Approval of the Minutes of the January 6, 2020, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Abstention: Adrienne Byers

[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.**

No such matters were discussed.

7. **Adjournment.**

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Mirna Amaya, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC 656724
COURT	Los Angeles Superior Court
DATE FILED	April 6, 2017
COUNTY DEPARTMENT	Department of Medical Examiner-Coroner
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Luis Carrillo, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$200,000 a negligence lawsuit filed by Mirna Amaya and Jorge Alberto Hernandez seeking damages for the actions of Department of Medical Examiner-Coroner employees that led to the premature cremation of their deceased son by a County-contracted crematory.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Thus, a full and final settlement in the amount of \$200,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

Case Name: Amaya/Hernandez #16-1133152*001



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:	October 18, 2016
Briefly provide a description of the incident/event:	Two decedents with the same first and last names were in the care of the Department of Medical Examiner-Coroner (DME-C) at the same time. Even though the decedents had different case numbers, one, believed to be the other, was mistakenly released to a mortuary and subsequently cremated.

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

There were three root causes:

1. The incorrect Body Control Card was pulled.
2. The Body Control Card information was not reconciled/verified with the cremation list.
3. The decedent's identification was not verified upon receipt of the body at the mortuary.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

In early 2017, Operations Chief Brian Elias ensured the following corrective actions were taken:

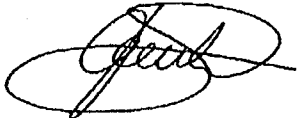
1. The Body Release Procedures outlined in Policy #5008 entitled, "Body Release Procedures" were revised and went into effect on March 16, 2017. The previous three-page document, which only addressed release of bodies to mortuaries chosen by next-of-kin or the Public Administrator at the DME-C facility is now a 16-page document, which addresses three separate disposition options: (a) a private mortuary chosen by next-of-kin or the Public Administrator, (b) for county disposition by a county contracted mortuary when next-of-kin does not make arrangements, no next-of-kin is located, or of unidentified decedents, and (c) Riverside National Cemetery for veteran burials.
2. The SFA who pulled the incorrect Body Control Card and failed to reconcile/verify the information with that listed on the cremation list received discipline.
3. There was no specific retraining provided to the involved SFA but she was included in the training about the updated and new procedures detailed in #1 above provided to all Forensic Attendant staff.


Since the implementation of the updated Body Release Procedures, there have been no incorrect body releases.

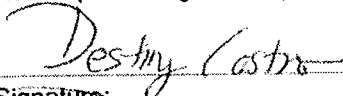

County of Los Angeles
Summary Corrective Action Plan

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) Paul R. Parker III, Chief Deputy Director	
Signature: 	Date: 12-02-2109

Name: (Department Head) Jonathan Lucas, M.D., Chief Medical Examiner-Coroner	
Signature: 	Date: 12-02-2019

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) 	
Signature: 	Date: 12/2/2019

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Nicholas Rodriguez, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC632837
COURT	Los Angeles Superior Court
DATE FILED	September 2, 2016
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 2,000,000
ATTORNEY FOR PLAINTIFF	John Denove, Esq. Cheong, Denove, Rowell, Bennett & Hapuarachy
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	<p>On August 22, 2015, Plaintiff Nicholas Rodriguez and decedent, Christopher Rodriguez, were seriously injured as a result of a single vehicle automobile collision on Bouquet Canyon Road in an unincorporated area of the County, near Santa Clarita. Plaintiffs claim that dangerous conditions on Bouquet Canyon Road, which is controlled and maintained by the County, caused the accident, and seek damages for the injuries to Nicholas Rodriguez and the death of Christopher Rodriguez.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$2,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 373,046
PAID COSTS, TO DATE	\$ 133,087

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gabriela Pena, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC721748
COURT	Los Angeles Superior Court
DATE FILED	September 12, 2018
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 85,000
ATTORNEY FOR PLAINTIFF	Alex Valenzuela, Esq. Law Offices of Arash Khorsandi
COUNTY COUNSEL ATTORNEY	Kelsey Nau Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a motor vehicle collision that occurred on July 27, 2017, when Department of Public Works employee Rezwan Kabir rear-ended Plaintiff Gabriela Pena's vehicle on the Interstate 210 eastbound. Plaintiff Elizabeth Crespin Pena, was a passenger in the vehicle. Both Plaintiffs claim injury to their neck and back as the result of the collision.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of this case is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 19,981
PAID COSTS, TO DATE	\$ 13,568

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Emerson Lopez v. County of Los Angeles, et al.
CASE NUMBER	19STCV04548
COURT	Los Angeles Superior Court
DATE FILED	February 27, 2019
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 37,500
ATTORNEY FOR PLAINTIFF	Neil Steiner, Esq. Steiner & Libo, PC
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel Paul B. Beach, Esq. Lawrence, Beach, Allen & Choi
NATURE OF CASE	This case involves a vehicle collision that occurred on January 26, 2018 at the intersection of Hillcrest Boulevard and Manchester Avenue in the City of Inglewood between a Los Angeles County Fire Department engine responding to an emergency call and Plaintiff Mr. Lopez's vehicle. Plaintiff claim's 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	\$ 39,115
PAID COSTS, TO DATE	\$ 1,465

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jordan Moseley v. County of Los Angeles, et al.
CASE NUMBER	19STCV05896
COURT	Los Angeles Superior Court
DATE FILED	May 22, 2019
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 40,000
ATTORNEY FOR PLAINTIFF	Gerardo Moreno, Esq. Law Offices of Cohen & Marzban
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This case involves a vehicle collision that occurred on March 2, 2018 in the City of Inglewood when a Los Angeles County Fire Department engine attempted to make a right turn and struck Plaintiff Ms. Moseley's vehicle.</p> <p>Plaintiff claim's 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</p>
PAID ATTORNEY FEES, TO DATE	\$ 14,137
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Teddy Yap v. County of Los Angeles
CASE NUMBER	19STCV14397
COURT	Los Angeles Superior Court
DATE FILED	April 25, 2019
COUNTY DEPARTMENT	Public Defender
PROPOSED SETTLEMENT AMOUNT	\$ 25,000
ATTORNEY FOR PLAINTIFF	Andre Garibian, Esq.
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas, Assistant County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on March 21, 2018 when Public Defender employee Jesus De La Riva collided into Plaintiff at the intersection of Regent Street and La Brea Avenue in the City of Inglewood.</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	\$ 2,752
PAID COSTS, TO DATE	\$ 485

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lonnie Moore v. Los Angeles County Sheriff's Department, et al.
CASE NUMBER	BC659742
COURT	Los Angeles Superior Court
DATE FILED	May 1, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 39,500
ATTORNEY FOR PLAINTIFF	Paro Astourian
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle collision that occurred on January 25, 2016, when a Sheriff's Department Ford Crown Victoria car driven by a Deputy Sheriff traveling on westbound East Altadena Drive rear-ended plaintiff Lonnie Moore's Mercedes Benz C240 vehicle that was stopped for traffic just east of the North Marengo Avenue intersection. 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	\$ 57,026
PAID COSTS, TO DATE	\$ 33,655

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Geico General Insurance Company v. County of Los Angeles, et. al.
CASE NUMBER	19STCV04064
COURT	Los Angeles Superior Court
DATE FILED	February 7, 2019 (Served February 21, 2019)
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 40,964
ATTORNEY FOR PLAINTIFF	Aileen Thon, Esq.
COUNTY COUNSEL ATTORNEY	Gary A. Bacio
NATURE OF CASE	This lawsuit arises from a vehicle vs. vehicle collision that occurred on April 4, 2017, when a Deputy of the Los Angeles County Sheriff's Department side-swiped the vehicle being driven by the Plaintiff's insured while the Plaintiff was stopped at an intersection. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 4,446
PAID COSTS, TO DATE	\$ 170

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

JANUARY 6, 2020

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 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 Steve Robles, Arlene Barrera, with Adrienne Byers being absent.

Other persons in attendance at the meeting were: Office of the County Counsel: Yuan Chang, Ann Aguilar, Caroline Craddock, Eduardo Montelongo, and Rick Brouwer; Public Works Department: Ronald Castaneda and Michael Hays; Department of Public Health: Nichole Alcaraz; Sheriff's Department: LaTonya Clark, Kristine Corrales, and Kevin Percy; Department of Health Services: Arun Patel and Catherine Mathers; Public Library: Susan Fowler, Stacey Simpson, and Yong Yu.

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.

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)

At 9:32 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(f).

4. Report of actions taken in Closed Session.

At 10:30 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Marina Smith v. County of Los Angeles, et al.
Los Angeles Superior Court Case No.: BC 675797**

This dangerous condition lawsuit arises from alleged injuries received in a trip and fall accident on a lifted sidewalk on County property.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$60,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

b. **Carlos Zapata v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 635348

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Department of Public Health employee and a bicyclist.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$195,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

c. **Non-Litigated Claim of Karina Vega**

This claim arises from alleged injuries sustained in a vehicle accident involving an on-duty Sheriff's Deputy.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$33,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

d. **Edwin Mendoza v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 654977

This lawsuit arises from alleged injuries sustained by Plaintiff while he received care at LAC+USC Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$150,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

e. **Claim of Stacey Duncan**

This claims alleges that an employee from the Department of Health Services was wrongfully terminated.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$70,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

f. **Rafael Pena v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. VC 066618

This claim alleges that an employee from the Los Angeles County Public Library was wrongfully terminated based on his disability.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$75,000.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

5. **Approval of the Minutes of the December 16, 2019, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera
Absent: Adrienne Byers

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 10:31 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Sandra C. Ruiz