

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, JULY 6, 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 were on the public teleconference phone line to address the Claims Board or to listen to the reportable actions of the Claims Board.

3. **Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision [a] of Government Code section 54956.9).**

- a. **Lamont Tarkington v. County of Los Angeles, et al.**
United States District Court Case No. 2:18-CV-07636-CJC-JC

This federal civil rights lawsuit alleges malicious prosecution after the California Court of Appeal reversed Plaintiff's 2007 conviction, resulting in his release from State prison.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,500,000.

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

- b. **Non-Litigated Claim of Anita F. Henck and William E. Henck**

This claim against the Department of Public Works alleges that Plaintiffs suffered real property damage caused by a backflow of sewage due to a mainline blockage.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$27,200.05.

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

[See Supporting Document](#)

c. **Non-Litigated Claim of Edward Kaufman and Mandi Richardson**

This claim against the Department of Public Works alleges that Plaintiffs suffered real property damage caused by a backflow of sewage due to a mainline blockage.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$191,160.94.

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

[See Supporting Document](#)

d. **Tereza Macias, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV09648

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an employee of the Department of Public Works.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$30,000.

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

[See Supporting Document](#)

e. **Nadyne Perez v. County of Los Angeles, et al.**
United States District Court Case No. 19-CV-10543

This lawsuit concerns allegations of sexual assault by a Sheriff's Department Custody Assistant.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$725,000.

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

f. **Calvin Newburn v. Los Angeles County Board of Supervisors, et al.**
United States District Court Case No. 2:18-CV-09692

This lawsuit against the Sheriff's Department alleges excessive force, and unreasonable search and seizure.

Action Taken:

The Claims Board authorized a statutory offer. The substance of the settlement will be disclosed upon inquiry if the offer is accepted.

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

[See Supporting Document](#)

**g. George Vasquez v. Ronald Brown, et al.
United States District Court Case No. CV 18-07996 R (AFMx)**

This civil rights lawsuit against the Office of the Public Defender alleges that Plaintiff's constitutional rights were violated as a result of his approximate 17-year pre-trial detention as a civil detainee.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$4,500,000.

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

[See Supporting Documents](#)

**h. Hector Almazan v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV140043**

This lawsuit alleges that an employee of the District Attorney's Office was subjected to discrimination, harassment, retaliation, and failure to accommodate.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$35,000.

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

**i. Claim of Dana Hubert
County Equity Investigations Unit Complaint No. CEIU 2018 12604**

This claim alleges that an employee of the Department of Children and Family Services was subjected to disability discrimination.

Action Taken:

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

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

**j. Sai-Hung "Josh" Hui v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 651111**

This lawsuit alleges that an employee of the Department of Health Services was subjected to racial discrimination, harassment, defamation, and whistleblower retaliation.

Action Taken:

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

Vote: Ayes: 3 – 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 June 1, 2020, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and 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	Non-Litigated Claim of Anita F. Henck and William E. Henck, trustees for the "William Edward Henck Jr. and Anita F. Henck Family Trust"
CASE NUMBER	N/A
COURT	N/A
DATE FILED	April 8, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 27,200.05
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel
NATURE OF CASE	This claim arises from a blocked sewer mainline that caused sewage backflow into Claimant's residence and damaged real property. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ N/A
PAID COSTS, TO DATE	\$ N/A

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Edward Kaufman and Mandi Richardson
CASE NUMBER	N/A
COURT	N/A
DATE FILED	May 22, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ \$191,160.94 (sum includes prior payment of \$78,190.17)
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Lindsay Yoshiyama Deputy County Counsel
NATURE OF CASE	This claim arises from a blocked sewer mainline that caused a sewage backflow into Claimants' residence and damaged their real property. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 4,446.00
PAID COSTS, TO DATE	\$ 78,190.17

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Tereza Macias, et al. v. County of Los Angeles, et al.
CASE NUMBER	19STCV09998
COURT	Los Angeles Superior Court
DATE FILED	May 30, 2019
COUNTY DEPARTMENT	Department Of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 30,000
ATTORNEY FOR PLAINTIFF	Denis Brue, Esq.
COUNTY COUNSEL ATTORNEY	Patrick Stockalper, Esq. Kevin Engelen, Esq. Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a three vehicle collision that occurred on January 3, 2018, when an employee of the County of Los Angeles Department of Public Works made a left turn while failing to yield to oncoming traffic. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 6,531
PAID COSTS, TO DATE	\$ 1,888

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Calvin Newburn v. Los Angeles County Board of Supervisors, et al.
CASE NUMBER	2:18-CV-09692
COURT	
DATE FILED	November 16, 2018
COUNTY DEPARTMENT	
PROPOSED SETTLEMENT AMOUNT	\$ 90,000
ATTORNEY FOR PLAINTIFF	In Pro Per
COUNTY COUNSEL ATTORNEY	Alexandra B. Zuiderweg, Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to make a statutory offer of judgment pursuant to Federal Rule of Civil Procedure Rule 68 in the amount of \$90,000, inclusive of attorneys' fees and costs, to Plaintiff Calvin Newburn. Mr. Newburn filed a lawsuit against Los Angeles County Sheriff's Department Deputies alleging excessive force, and unreasonable search and seizure.</p> <p>Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$90,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 24,740
PAID COSTS, TO DATE	\$ 3,153

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	George Vasquez vs. Brown, Ronald, et al.
CASE NUMBER	CV 18-7996 R (AFMx)
COURT	United States District Court
DATE FILED	May 3, 2019
COUNTY DEPARTMENT	Office of the Public Defender
PROPOSED SETTLEMENT AMOUNT	\$ 4,500,000
ATTORNEY FOR PLAINTIFF	Arnoldo Casillas, Esq. Casillas & Associates
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$4,500,000, an Office of the Public Defender ("Public Defender") civil rights lawsuit filed by former Public Defender client, Plaintiff George Vasquez, who claims his constitutional rights were violated arising out of his approximately 17-year pre-trial detention as a civil detainee pursuant to the Sexual Violent Predator Act.</p> <p>Given the 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 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 75,952
PAID COSTS, TO DATE	\$ 654

Case George Vasquez v. County of Los Angeles Name:



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:	2003 to 2018
Briefly provide a description of the incident/event:	<p>This matter arises out of a federal civil rights complaint filed Sept. 14, 2018 naming, former Public Defender Ronald Brown, former Chief Deputy Public Defender Kelly Emling, Public Defender Division Chief Michael Suzuki, Chief Deputy Jenny Brown, Assistant Public Defender Ruben Marquez, former Deputy Public Defender Daniel Kuperberg, Supervisor Ridley-Thomas, the Office of the Los Angeles County Public Defender and the County as defendants. Vasquez alleges that he was jailed as a civil detainee for 17 years awaiting trial to deem him a Sexually Violent Predator ("SVP"). In violation of his constitutional rights, he was never brought to trial. A Los Angeles Superior Court judge removed the Public Defender and appointed the same attorney in the Zavala matter and then dismissed the SVP petition finding that his 17 year pre-trial detention was presumptively prejudicial violating Vasquez' due process rights.</p>

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

Staffing reductions in the special unit resulted in continuances by attorneys who believed they had insufficient resources to take the cases to trial; failure to obtain clear time waivers from clients who preferred to remain at the state hospital during court appearances.

County of Los Angeles
Summary Corrective Action Plan


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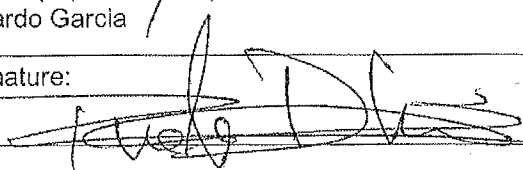
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

Ensure that the weighted caseloads of attorneys assigned to the Civil Commitment Units are manageable and that adequate support resources are provided; require either a form written appearance/time waiver signed by the client or a verbal waiver taken by the court on the record via video appearance.

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) Jon Trochez	
Signature: 	Date: 3-5-20

Name: (Department Head) Ricardo Garcia	
Signature: 	Date: 3-3-2020

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 type="checkbox"/> No, the corrective actions are applicable only to this department.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Inspector General)	
Signature:	Date:

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

JUNE 1, 2020

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:32 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members online for the teleconference meeting were: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Chris Keosian, Amie Park, Millicent Rolon, Jenny Tam, Nicole Davis Tinkham, Rosanne Wong, Camille Townsend Granville, and Stacey Lee; Sheriff's Department: Mark Allen, Elizabeth Quesada, Kristine Corrales, Kevin Pearcy, Carlos Marquez, and Mike Burse; Fire Department: Anthony Marrone; Office of the Auditor-Controller: Patricia Navarro; and Outside Counsel: Elizabeth Bright.

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 were on the public teleconference line to address the Claims Board or to listen to the reportable actions of the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision [a] of Government Code section 54956.9).

At 9:38 a.m., the Chair convened the meeting into Closed Session to discuss the items listed as 4(a) through 4(i).

4. Report of actions taken in Closed Session.

At 10:56 a.m., the Claims Board reconvened in open session via public teleconference line and reported the actions taken in Closed Session as follows:

**a. Andre McClelland v. County of Los Angeles, et al.
United States District Court Case No. 2:19-CV-6755-SVW**

This federal lawsuit alleges that Plaintiff's civil rights were violated while he was incarcerated at Men's Central Jail.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$450,000.

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

b. **Jane Doe, a minor v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV29320

This lawsuit alleges that a minor was sexually assaulted by a Detective of the Los Angeles Sheriff's Department.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$5,500,000.

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

c. **Claim of Cynthia Maluto**

This claim by a former employee of the Fire Department alleges gender discrimination, harassment, failure to accommodate, and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$99,999.

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

d. **Ruchika Bharadwaj v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 650281

This lawsuit alleges that an employee of the Auditor-Controller was subjected to disability discrimination, failure to accommodate and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$325,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne Byers
Recusal: 1 – Arlene Barrera

5. **Approval of the Minutes of the May 18, 2020, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and 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 10:58 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Derek Stane