



COUNTY OF LOS ANGELES
CLAIMS BOARD
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Arlene Barrera
Auditor-Controller
Steve Robles
Chief Executive Office
Adrienne M. Byers
Office of the County Counsel

NOTICE OF MEETING

The County of Los Angeles Claims Board will hold a regular meeting on **Monday, September 14, 2020 at 9:30 a.m.**, via online conference call. Members of the public wishing to listen to the open sessions of the meeting may call (323) 776-6996, then enter ID 550 014 380, at 9:30 a.m. on September 14, 2020.

Reports of actions taken in Closed Session. The County of Los Angeles Claims Board will report actions taken on any Closed Session Items on Monday, September 14, 2020 at 11:00 a.m. Members of the public wishing to hear reportable actions taken on any Closed Session Items may call (323) 776-6996, then enter ID 550 014 380 at 11:15 a.m. on September 14, 2020. Please note that this time is an approximate start time and there may be a 15 minute wait before the actions are reported.

TO PROVIDE PUBLIC COMMENT:

You may submit written public comments by e-mail to claimsboard@counsel.lacounty.gov or by mail to: Attention: Los Angeles County Claims Board, Executive Office, County Counsel, 500 W. Temple St., Los Angeles, CA, 90012.

Written public comment or documentation must be submitted no later than 5 p.m. on Friday, September 11, 2020. Please include the Agenda item and meeting date in your correspondence. Comments and any other written submissions will become part of the official record of the meeting.

SUPPORTING DOCUMENTATION: Any supporting documents will be posted and can be provided upon request. Please submit requests for any supporting documents to claimsboard@counsel.lacounty.gov.

If you would like more information, please contact Derek Stane at (213) 974-1870.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.

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

a. Non-Litigated Claims of Luz Gutierrez and Esperanza Martinez

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Deputy; settlement is recommended in the amount of \$22,115.

[See Supporting Document](#)

b. Lindsay Potter v. Anthony Fredrick DiVita, et al.
Los Angeles Superior Court Case No. 18STCV03960

Ryan Randalls, et al. v. Anthony Fredrick DiVita, et al.
Los Angeles Superior Court Case No. BC 696606

Gabriel Carrillo, et al. v. Los Angeles County Sheriff's Department, et al.
Los Angeles Superior Court Case No. 18STCV00347

These lawsuits arise from alleged injuries sustained in a vehicle accident involving a Sheriff Transportation Bus; settlement is recommended in the amount of \$45,250.

[See Supporting Document](#)

c. Alexander Arndt v. County of Los Angeles, et al.

This federal lawsuit alleges that Plaintiff's civil rights were violated while he was being escorted from a hiking trail by two Sheriff Deputies; settlement is recommended in the amount of \$58,000.

[See Supporting Document](#)

d. Roland Vaughan v. County of Los Angeles, et al.
United States District Court Case No. 2:19-CV-00336-FMO-SK

This federal lawsuit alleges civil rights violations arising from injuries sustained while Plaintiff was incarcerated at Men's Central Jail; settlement is recommended in the amount of \$875,000.

[See Supporting Documents](#)

- e. Cassandra Parks v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 651145

This dangerous condition of public property lawsuit against the Department of Public Works arises from a fatal automobile accident in the unincorporated area of the County near Santa Clarita; settlement is recommended in the amount of \$6,000,000.

[See Supporting Documents](#)

- f. Regina Crenshaw v. County of Los Angeles
Los Angeles Superior Court Case No. BC 652399

This lawsuit concerns allegations that an employee with the District Attorney's office was subjected to gender and race discrimination; settlement is recommended in the amount of \$950,000.

- g. Rafael Rivera v. County of Los Angeles
Los Angeles Superior Court Case No. BC 626697

This wrongful death lawsuit alleges that Plaintiff's wife received inadequate care and treatment at Harbor UCLA Medical Center; settlement is recommended in the amount of \$150,000.

[See Supporting Document](#)

- h. Claim of Alexander Moreno v. County of Los Angeles

This wrongful death lawsuit alleges that Plaintiff's father received inadequate care at LAC +USC Medical Center; settlement is recommended in the amount of \$298,430.

4. Approval of the minutes of the August 17, 2020, regular meeting of the Claims Board.

[See Supporting Document](#)

5. 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.
6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Luz Gutierrez and Esperanza Martinez
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 22,115
ATTORNEY FOR PLAINTIFF	Oscar R. Swinton Law Offices of Oscar R. Swinton
COUNTY COUNSEL ATTORNEY	Jessica C. Rivas Deputy County Counsel
NATURE OF CASE	These claims arise from a vehicle collision that occurred on January 8, 2019, in Hacienda Heights, when a vehicle driven by a Sheriff's Deputy collided with Ms. Gutierrez's vehicle. Ms. Gutierrez and Ms. Martinez claim to have suffered injuries as a result. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 115

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lindsay Potter v. Anthony Frederick DiVita, et al. Ryan Randalls, et al. v. Anthony DiVita, et al. Gabriel Carrillo, et al. v. Los Angeles County Sheriff's Department
CASE NUMBER	18STCV03960 BC696606 18STCV00347
COURT	Los Angeles Superior Court
DATE FILED	November 6, 2018 March 2, 2018 October 11, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	Potter: \$21,000 \$ Dorava: \$20,000 Gabriel Carillo, et al.: \$4,250
ATTORNEY FOR PLAINTIFF	Stacey O'Neil Jurewitz Law Group Ivy B. Grigoryan Grigoryan Blum & Grigoryan Barry L. Geenhalgh Law Offices of Barry L. Greenhalgh
COUNTY COUNSEL ATTORNEY	Gary A. Bacio
NATURE OF CASE	This lawsuit arises from an accident that occurred on December 13, 2017, when a Sheriff's Department bus collided with a vehicle on the 5 freeway. Plaintiffs seek compensation for their alleged injuries from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the cases (excepting Ryan Randalls which remains pending) in the total amount of \$45,250 is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 34,338
PAID COSTS, TO DATE	\$ 246

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Alexander Arndt v. County of Los Angeles, et al.
CASE NUMBER	CV-28-10699
COURT	United States District Court
DATE FILED	December 28, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 58,000
ATTORNEY FOR PLAINTIFF	Cameron Sehat, Esq.
COUNTY COUNSEL ATTORNEY	Richard Hsueh Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$58,000, a federal civil rights lawsuit filed by Alexander Arndt ("Plaintiff"), againsts the County of Los Angeles and four Sheriff's Department Deputies.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement amount of \$58,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 77,523
PAID COSTS, TO DATE	\$ 9,782

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Roland Vaughan v. County of Los Angeles, et al.
CASE NUMBER	2:19-cv-00336-FMO-SK
COURT	United States District Court
DATE FILED	01/16/2019
COUNTY DEPARTMENT	Sheriff's Department/Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 875,000.00
ATTORNEY FOR PLAINTIFF	Raymond Boucher
COUNTY COUNSEL ATTORNEY	Melodie Larsen, Senior Deputy County Counsel
NATURE OF CASE	Lawsuit filed by Roland Vaughan ("Plaintiff") against the County of Los Angeles and four Sheriff's deputies alleging federal civil rights violations and related state-law claims. The lawsuit arises from injuries that plaintiff sustained in altercation between inmates on the roof of Men's Central Jail on September 30, 2017. Plaintiff alleges that the altercation occurred when the inmates were left unguarded. He also alleges that the he did not receive necessary medical care for his injury, which developed into necrotizing fasciitis.
PAID ATTORNEY FEES, TO DATE	\$ 48,968
PAID COSTS, TO DATE	\$ 39,551

Case Name: Vaughan, Roland



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:	September 30, 2017
Briefly provide a description of the incident/event:	Lawsuit filed by Roland Vaughan ("Plaintiff") against the County of Los Angeles and four Sheriff's deputies alleging federal civil rights violations and related state-law claims. The lawsuit arises from injuries that plaintiff sustained in altercation between inmates on the roof of Men's Central Jail on September 30, 2017. Plaintiff alleges that the altercation occurred when the inmates were left unguarded. He also alleges that he did not receive necessary medical care for his injury, which developed into necrotizing fasciitis.

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

Injury and infection resulting from altercation while incarcerated.

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

- All appropriate personnel corrective actions have been taken.

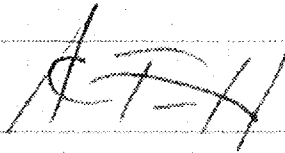
3. Are the corrective actions addressing department-wide system issues?

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

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)
Arun Patel, MD, JD

Signature:

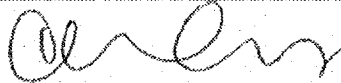


Date:

7/16/20

Name: (Department Head)
Christina Ghaly, MD

Signature:



Date:

7/20/20

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

☐ Yes, the corrective actions potentially have County-wide applicability.

☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Roberto Chavez

Signature:



Date:

07/22/20

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Cassandra Parks v. County of Los Angeles, et al.
CASE NUMBER	BC651145
COURT	Los Angeles Superior Court
DATE FILED	February 2, 2017
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 6,000,000
ATTORNEY FOR PLAINTIFF	Greg Bentley, Esq. Bentley More LLP
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	<p>On January 4, 2016, Plaintiff's decedent, 19-year-old Elena Kramer, sustained fatal injuries as a result of a single vehicle automobile collision on Bouquet Canyon Road in an unincorporated area of the County, near Santa Clarita. Plaintiff claims that dangerous conditions on Bouquet Canyon Road, which is controlled and maintained by the County, caused the accident, and seek damages for the death of Elena Kramer.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$6,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 309,021
PAID COSTS, TO DATE	\$ 29,750



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:	January 4, 2016
Briefly provide a description of the incident/event:	On January 4, 2016, 19-year-old Elena Kramer, was driving southbound on Bouquet Canyon Road when she lost control of her vehicle while negotiating a curve, 2.3 miles south of Spunky Canyon Road (205 feet south of mile marker 8.84), crossed over the roadway centerline into the opposing lane of traffic and over a dirt shoulder and collided into a County-maintained tree located on the opposite side of the roadway. As a result, Ms. Kramer sustained fatal injuries.

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

The collision occurred due to Elena Kramer's negligence in the operation of her vehicle by driving without due care and at an unsafe speed, crossing over the roadway centerline and colliding into a tree.

According to the Traffic Collision Report, Elena Kramer caused the collision by driving her vehicle in violation of VC 22350; which states: "No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of person or property."

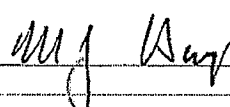
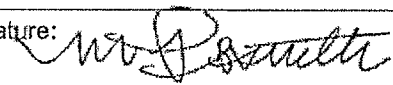
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

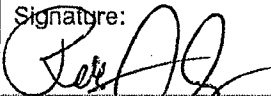
Guardrail was installed and the speed limit reduced for a portion of the roadway.

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.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) Michael J. Hays	
Signature: 	Date: 4/23/20
Name: (Department Head) Mark Pestrella	
Signature: 	Date: 5/4/20

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) Roberto Chavez	
Signature: 	Date: 5/13/20

MH:psr
P:\RMOPUB\IRISKMGMT\CLAIMS & LIT\PARKS, C. SCAP

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rafael Rivera, et al v. County of Los Angeles, et al.
CASE NUMBER	BC266697
COURT	Los Angeles Superior Court
DATE FILED	July 13, 2016
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 150,000
ATTORNEY FOR PLAINTIFF	Rolando J. Gutierrez, Esq. Gutierrez, Blanco & Arias, PLC
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>In April of 2015, Maria Miramontes, a 59-year-old female, was admitted to Harbor UCLA Medical Center ("HUMC") for treatment of pneumonia. She was treated with several antibiotics and was discharged. As Ms. Miramontes began suffering from some skin complications, she returned to HUMC and received further treatment.</p> <p>On May 23, 2015, Ms. Miramontes was admitted to LAC+USC Medical Center. Her condition deteriorated, and she expired on June 19, 2015.</p> <p>Ms. Miramontes' family filed a wrongful death action against the County of Los Angeles and HUMC providers alleging that the HUMC staff were negligent in treatment of her pneumonia thereby causing the complications which resulted in her death.</p>
PAID ATTORNEY FEES, TO DATE	\$ 100,850
PAID COSTS, TO DATE	\$ 26,345

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

AUGUST 17, 2020

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:33 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: Timothy Kral, Richard Kudo, Kelsey Nau, Stacey Lee, Rosanne Wong, Nicole Davis Tinkham, Ruben Baeza, and Camille Granville; Sheriff's Department: Rick Mejia, Jeff Chadwick, Sergio Mancilla, April Tardy, Melanie Rivers, and Kristine Corrales; Office of the Public Defender: Terry Howard, and Rob Kane; Department of Health Services: Karen Nunn; and Outside Counsel: Laura Inlow, and Adam Ainslie.

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).

At 9:39 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 10:58 a.m., the Claims Board reconvened in open session via the public teleconference phone line and reported the actions taken in closed session as follows:

a. Anthony Louis Gallo, Jr. v. County of Los Angeles, et al. United States District Court Case No. 2:18-CV-0008-JLS-RAO

This federal civil rights lawsuit alleges that Sheriff deputies/custody assistants failed to protect him from an assault by other inmates.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$80,000.

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

b. Luis Hernandez v. County of Los Angeles, et al. Los Angeles Superior Court Case No. BC689849

This lawsuit arises from a multiple-fatality vehicle accident involving an on-duty Sheriff's deputy.

Action Taken:

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

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

c. **Dominga Guzman v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC682446

This lawsuit alleges that Plaintiff was sexually assaulted by a Deputy Public Defender.

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

d. **Francesca Anello v. County of Los Angeles**
Los Angeles Superior Court Case No. 18STCV09801

This lawsuit concerns allegations that an employee from the Department of Health Services was subjected to disability discrimination and failure to accommodate.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000.

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

5. **Approval of the Minutes of the August 3, 2020, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes.

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.**

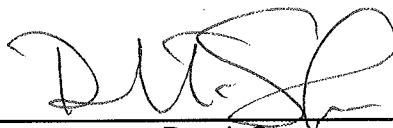
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 11:00 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Derek Stane