

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, MARCH 15, 2021, 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 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. **Francisco A. Macias v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV30121

This dangerous condition lawsuit arises from injuries allegedly sustained at a County-owned park near the City of South Gate.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$23,000.

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

[See Supporting Document](#)

- b. **Yesenia Segura Bernal v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV28567

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's deputy.

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

[See Supporting Document](#)

c. **Rajni Dua v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 654297

This lawsuit arises from alleged injuries sustained in a multi-vehicle accident involving a Sheriff's lieutenant.

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 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

d. **Michelle Contreras v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-CV-4198 SVW

This federal civil rights lawsuit involves allegations of sexual assault by a Sheriff's Department employee.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$950,000.

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

[See Supporting Documents](#)

e. **Ryan Randalls v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 696606

This lawsuit arises from injuries allegedly sustained in a vehicle accident involving a Sheriff's Department bus driven by a Sheriff's deputy.

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

[See Supporting Document](#)

f. **Robert W. Wolff, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No 18AVCV00087

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Probation Department employee.

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

[See Supporting Document](#)

**g. A.A. v. County of Los Angeles, et al.
United States District Court Case No. 2:19-CV-10031**

This federal civil rights lawsuit involves allegations of failure to protect a minor from abuse while under the supervision of the Department of Children and Family Services.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$100,000.

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

[See Supporting Document](#)

**h. Jesus Duran v. County of Los Angeles
Los Angeles Superior Court Case No. 18STCV08815**

This lawsuit concerns allegations that a Department of Children and Family Services employee was subjected to sexual discrimination, retaliation, and failure to prevent discrimination.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$246,500.

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

**i. Anthony Carpenter, Jr. et al v. County of Los Angeles
Los Angeles Superior Court Case No. BC 610458**

This lawsuit arises from the death of a patient who received care at Long Beach Community Health Center and Harbor UCLA Medical Center.

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 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

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 March 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	Francisco A. Macias v. County of Los Angeles
CASE NUMBER	19STCV30121
COURT	Los Angeles Superior Court
DATE FILED	August 23, 2019
COUNTY DEPARTMENT	Department of Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 23,000
ATTORNEY FOR PLAINTIFF	Andrew Zeytuntsyan, Esq.
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Deputy County Counsel
NATURE OF CASE	This is a dangerous condition of a public property lawsuit that arises from personal injuries the Plaintiff allegedly suffered on December 20, 2018, when the cross-bar of a futsal goal at County owned Leon H. Washington Park fell and struck him on the head. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 14,718
PAID COSTS, TO DATE	\$ 9.95

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Yesenia Segura Bernal. v. County of Los Angeles, et al.
CASE NUMBER	20STCV28567
COURT	Los Angeles Superior Court
DATE FILED	July 29, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Amy G. Zavidov, Esq.
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an automobile collision that occurred on September 14, 2019, when a vehicle operated by an employee of the Los Angeles County Sheriff's Department rear ended Plaintiff's vehicle on Mountain Avenue in the city of Duarte. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 6,770
PAID COSTS, TO DATE	\$ 200

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rajni Dua. v. County of Los Angeles, et al.
CASE NUMBER	BC654297
COURT	Los Angeles Superior Court
DATE FILED	March 16, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Steven Glickman, Esq.
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle versus vehicle collision that occurred on March 23, 2016, when an employee of the Los Angeles County Sheriff's Department rear ended another vehicle which was then forced into a collision with the rear of the Plaintiff's vehicle on the State Route 60 freeway. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 86,745
PAID COSTS, TO DATE	\$ 21,619

Case Name: Rajni Dua v. County of Los Angeles, et al.



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:	Wednesday, March 23, 2016, at approximately 5:50 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Rajni Dua v. County of Los Angeles</u> Summary Corrective Action Plan 2020-27</p> <p>On Wednesday, March 23, 2016, at approximately 5:50 a.m., an on-duty Los Angeles County Sheriff's Department sergeant, assigned to Personnel Administration Bureau, Recruitment Unit, was on her way to work. The sergeant was driving an unmarked Los Angeles County Sheriff's Department 2010 Ford Crown Victoria westbound on the 60 Freeway, in the City of Diamond Bar, when the sergeant was involved in a traffic collision.</p> <p>The plaintiff was traveling westbound on the 60 freeway in the number one lane at approximately 45 to 50 MPH. As the plaintiff continued west, the traffic ahead applied their brakes and decelerated. At that time, when the first collision occurred and the plaintiff felt an impact to the rear end of her 2014 Nissan Versa by the driver of a 2002 Toyota Corolla.</p> <p>The 2002 Toyota Corolla driver was also traveling west on 60 freeway in the number one lane at approximately 40 MPH, following behind the plaintiff at a distance of approximately 40-50 feet. As both vehicles continued west, traffic ahead applied their brakes. The 2002 Toyota Corolla driver applied the brakes and came to a near stop behind the plaintiff's vehicle. Simultaneously, the Toyota Corolla driver looked in the rear-view mirror and noticed a car (2010 Ford Crown Victoria), driven by the sergeant approaching. The driver of the Toyota Corolla felt an impact as the front of his vehicle struck the plaintiff's Nissan Versa's rear-end. The Toyota Corolla driver stated he was sure the sergeant's car struck the rear of his car, which forced his vehicle into the plaintiff's vehicle rear-end.</p> <p>As the sergeant was driving 40-45 MPH westbound in the number one lane, she observed the Toyota Corolla driver traveling in the number two lane, suddenly make an abrupt and unsafe lane change into her number one lane. The Toyota Corolla was now directly in the sergeant's path of travel. As a result of the unsafe lane change, the sergeant applied her brakes but was unable to stop her vehicle in time and collided with the driver of the 2002 Toyota Corolla. This caused the second collision when the sergeant's front bumper struck the rear bumper of the 2002 Toyota Corolla.</p> <p>The sergeant was unable to make an evasive maneuver to avoid the collision due to vehicles being on both sides of her vehicle.</p>

	<p>All vehicles involved in this collision came to a rest, and the involved parties stayed on-scene pending medical response and the California Highway Patrol (CHP).</p> <p>The plaintiff did not complain of any injuries at the time of the incident. However, that same day, the plaintiff sought medical care for her neck and back pain.</p> <p>The driver of the 2002 Toyota Corolla complained of pain in his neck and refused medical treatment at the time of the incident.</p> <p>The sergeant was wearing a factory-installed seat belt at the time of the collision and was not injured.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

The **Department** root cause of this incident is that the sergeant failed to stop before colliding into the rear of the Toyota Corolla, which then collided into the rear plaintiff's vehicle.

A **non-Department** root cause is the driver of the Toyota Corolla making an unsafe and abrupt lane change in front of the sergeant's vehicle.

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

Traffic Collision Investigation

The incident was thoroughly investigated by the California Highway Patrol.

The collision investigation concluded the sergeant caused the collision by failing to brake with traffic ahead and decelerate to a slower speed, a violation of California Vehicle Code Section 22350 VC, Rules of the Road: No person shall drive a vehicle upon a highway at 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 persons or property.

Administrative Investigation

The incident was investigated by representatives at Personnel Administration Bureau, Recruitment Unit, to determine if any administrative misconduct occurred as a result of the traffic collision. The results of the investigation were presented for Department executive adjudication.

Executive evaluation of this incident found the sergeant's actions was preventable. Appropriate administrative action has been taken.

Traffic Collision Assessment Review

Personnel Administration Bureau conducted a review and assessment of all traffic collisions for calendar year 2018 through 2020 YTD. The audit revealed there were seventeen (17) traffic collisions for this three-year period, twelve (12) of which were found to be preventable.

During the audit, it was discovered there was a spike in 2018 with seven collisions, four of which were deemed preventable. Two of these preventable collisions involved the same employee who is no longer assigned to Personnel Administration Bureau, and furthermore is presently assigned to a non-driving position in Custody Division. The audit further revealed there was a downward trend in the overall number of collisions during this period.

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2018	4	3
2019	4	2
2020	4	0

Personnel who have been involved in more than one traffic collision are directed to attend Department training, such as the Sheriff's Traffic Accident Reduction (S.T.A.R.) driving program, Emergency Vehicle Operations training, and/or the Alternatives to Discipline Driving Course.

During this audit period, no employee from Personnel Administration Bureau accumulated enough points to warrant mandatory training or other sanctions related to their driving record.

County of Los Angeles
Summary Corrective Action Plan

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

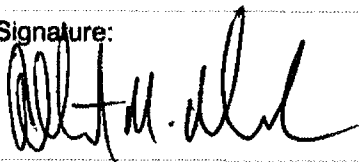
- ☐ Yes – The corrective actions address Department-wide system issues.
- ☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain
Risk Management Bureau

Signature:



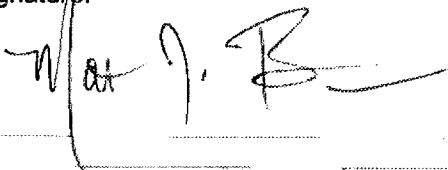
Date:

12/28/20

Name: (Department Head)

Matthew J. Burson, Chief
Professional Standards Division

Signature:



Date:

01/04/21

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)

Destiny Castro

Signature:

Destiny Castro

Date:

1/6/2021

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Michelle Contreras v. County of Los Angeles, et al.
CASE NUMBER	2:19-CV-10897
COURT	United States District Court
DATE FILED	December 27, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 950,000
ATTORNEY FOR PLAINTIFF	George G. Mgdesyan, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$950,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Michelle Contreras alleging she was sexually assaulted by Sheriff's Custody Assistant ("CA") Daniel Everts while she was incarcerated at the Lancaster Sheriff's Station.</p> <p>Given 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 \$950,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 39,985
PAID COSTS, TO DATE	\$ 878



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:	June 17, 2019
Briefly provide a description of the incident/event:	<p><u>Michelle Contreras v. County of Los Angeles</u> Summary Corrective Action Plan 2020-33</p> <p>On June 16, 2019, the plaintiff was arrested and detained at the Lancaster Station Jail for driving under the influence of alcohol.</p> <p>The plaintiff alleges during her detention at Lancaster Station jail she was sexually assaulted by a member of the Los Angeles County Sheriff's Department.</p> <p>A criminal investigation was conducted and presented to the Los Angeles County District Attorney's Office at the Criminal Courts Building in the city of Los Angeles. A preliminary hearing is scheduled for March 12, 2021.</p>

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

The **Department** root cause in this incident is an act of criminal misconduct committed by a member of the Los Angeles County Sheriff's Department.

Another **Department** root cause in this incident was numerous cameras inside the Lancaster Station jail were non-operative, allowing for the member of the Los Angeles County Sheriff's Department to commit sexual misconduct against the plaintiff.

Another **Department** root cause in this incident was the Prison Rape Elimination Act (PREA) signage was not posted in the station jail area, nor was there an assigned Compliance Sergeant to conduct station jail audits.

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

Criminal Investigation

A thorough investigation was conducted by the Department's Internal Criminal Investigations Bureau (ICIB). The following represents a timeline of relevant dates with respect to the criminal investigation into this case:

- June 20, 2019 – The custody assistant was arrested by ICIB.
- October 6, 2020 – Two felony charges were filed against the custody assistant by the Los Angeles County District Attorney's Office at the Criminal Courts Building in the city of Los Angeles. A preliminary hearing is scheduled for March 12, 2021.

Administrative Investigation

Due to the ongoing criminal investigation, the administrative investigation has not yet started.

Immediately following the conclusion of the criminal investigation and prosecution, this incident will be investigated by representatives of the Sheriff's Department to determine if any administrative misconduct occurred prior to, during, or after this incident. The results of the investigation will then be presented to an Executive Review Panel for adjudication.

Additional Monitoring of Personnel in Station Jail

In order to provide better coverage of the actions of Department personnel in the Lancaster Station jail, as well as the inmates housed therein, an upgraded camera system was installed. The new camera system had additional camera angles that could be more easily monitored by supervisors (i.e., Watch Sergeant) at all times in the station Watch Sergeant office.

Prison Rape Elimination Act of 2003 (PREA) Jail Inspection

The Department has a zero-tolerance policy regarding sexual abuse and sexual harassment and how to report it at each station. The Department has current policies in the Manual of Policy and Procedures (MPP) regarding the PREA act. The current policies have clear steps to ensure the PREA standards are being followed and each station is in compliance.

Personnel assigned to Lancaster Station were briefed on the standards and regulations of the PREA act. Briefings occurred on all shifts and were given by the training sergeant and watch commanders. Special focus was placed on the importance of safety of prevention, detection, and the ability to report any sexual misconduct.

County of Los Angeles
Summary Corrective Action Plan

Immediately following the conclusion of the criminal investigation and prosecution, this incident will be investigated by representatives of the Sheriff's Department to determine if any administrative misconduct occurred prior to, during, or after this incident. The results of the investigation will then be presented to an Executive Review Panel for adjudication.


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.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain
Risk Management Bureau

Signature:



Date:

2/23/21

Name: (Department Head)

Kelly M. Porowski, Chief
Professional Standards Division

Signature:



Date:

2-25-21

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)

Destiny Castro

Signature:



Date:

03/03/2021

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ryan Randalls, et al. v. Anthony DiVita, et al.
CASE NUMBER	BC696606
COURT	Los Angeles Superior Court
DATE FILED	March 2, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Ivy B. Grigoryan Grigoryan Blum & Grigoryan
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. Plaintiff seeks compensation for his alleged injuries from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of this case is warranted. Seven other plaintiffs in this and two other lawsuits have been previously settled for \$45,250.
PAID ATTORNEY FEES, TO DATE	\$ 43,790 (inclusive of all three related lawsuits)
PAID COSTS, TO DATE	\$ 346

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Robert W. Wolff, et al. v. County of Los Angeles, et al.
CASE NUMBER	18AVCV00087
COURT	Los Angeles Superior Court
DATE FILED	October 30, 2018
COUNTY DEPARTMENT	Probation Department
PROPOSED SETTLEMENT AMOUNT	\$ 80,000
ATTORNEY FOR PLAINTIFF	Robert Ryan Kuzyk Law, LLP
COUNTY COUNSEL ATTORNEY	David D. Lee Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an accident that occurred on April 10, 2018, when a Probation vehicle collided with a vehicle stopped at the traffic signal light at Avenue I and 50 th Street West in Lancaster. Plaintiffs seek compensation for their alleged injuries from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of this case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 12,780
PAID COSTS, TO DATE	\$ 35

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	A.A. v. County of Los Angeles, et al.
CASE NUMBER	2:19-cv-10031 (removed from Los Angeles Superior Court, Case No. 19STCV31758)
COURT	United States District Court, Central District
DATE FILED	September 6, 2019
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 100,000.00
ATTORNEY FOR PLAINTIFF	Vincent Davis (Law Offices of Vincent W. Davis & Associates)
COUNTY COUNSEL ATTORNEY	SHAWN LUNA Deputy County Counsel AVI BURKWITZ Peterson Bradford Burkwitz, LLP
NATURE OF CASE	This is a recommendation to settle, for \$100,000, this lawsuit against the County of Los Angeles, the Department of Children and Family Services, and several employees, alleging that Plaintiff's constitutional rights were violated when social workers failed to protect a minor from abuse while in foster care.
PAID ATTORNEY FEES, TO DATE	\$ 99,975.00
PAID COSTS, TO DATE	\$ 4,273.54

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Anthony Carpenter, Jr., et al v. County of Los Angeles, et al.
CASE NUMBER	BC610458
COURT	Los Angeles Superior Court
DATE FILED	February 17, 2016
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Martin Stanley, Esq. Law Offices of Martin Stanley
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>In May 2013, Anthony Carpenter Sr., a 56-year-old male, received medical care at two Los Angeles County facilities. In 2015, Mr. Carpenter was diagnosed with a brain tumor. In 2018, Mr. Carpenter developed a liver tumor that led to his death on May 9, 2018.</p> <p>Mr. Carpenter's surviving family filed a wrongful death action against the County of Los Angeles alleging that the care provided to Mr. Carpenter at the County facilities was below the standard of care and that it contributed to his death.</p>
PAID ATTORNEY FEES, TO DATE	\$ 120,863
PAID COSTS, TO DATE	\$ 12,115

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

MARCH 1, 2021

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:39 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: Laura Jacobson, Kelsey Nau, Yuan Chang, Kevin Engliem, Richard Hsueh, Millicent Rolon, Minas Samuelian, Kent Sommer, Anthony Morrone, Narbeh Bagdasarian, Rosanne Wong, and Camille Granville; Sheriff's Department: Holly Francisco, Josh Stahl, Damon Jones, Jason Skeen, Duane Allen, Kerry Carter, Kelly Chiu, Melynie Rivers, and Kristine Corrales; Department of Public Works: Ronald Castenada, and Michael Hays; Department of Mental Health: Taniesha Franklin, Vanessa Jenkins, and Ly Ngo; Department of Probation: Cherise Martin, and Nathan Martinez; Fire Department: Julia Kim; and Outside Counsel: Tracey Egoscue, and Lenore Kelly.

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.

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

At 9:40 a.m., Chair Steve Robles 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.

No members of the public were on the public teleconference phone line to hear the reportable actions of the Claims Board.

At 12:16 p.m., the Claims Board reconvened in open session via the public teleconference line and reported the actions taken in closed session as follows:

**a. Los Angeles County Hall of Justice Dewatering – Notice of Violation
Los Angeles Regional Water Quality Control Board Claim No. R4-2020-0123**

This matter involves a Notice of Violation from the Los Angeles Regional Water Quality Control Board to the Chief Executive Office relating to the utility plant at the Hall of Justice.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$111,000.

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

**b. Waddell Franklin, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20AVCV00333**

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving an employee from the Department of Public Works.

Action Taken:

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

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

**c. Bradley Couce, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC672386**

This dangerous condition and wrongful death lawsuit against the County and the Department of Public Works arises from an accident involving a motorcyclist and an automobile in an unincorporated area of the County near the City of Malibu.

Action Taken:

Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$300,000.

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

**d. Ace American Insurance Company v. County of Los Angeles
United States District Court Case No. 2:20-CV-4198 SVW**

This lawsuit concerns property damage to Plaintiff's docked marine vessel which was struck by a Fire Department marine vessel.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$36,000.

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

**e. Pasadena Alternative Care. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BS 168369**

This lawsuit seeks the return of property allegedly seized by the Sheriff's Department as evidence during a criminal investigation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$54,560.

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

f. Mayra Houston v. County of Los Angeles, et al.
United States District Court Case No. 2:20-CV-04171

This lawsuit concerns allegations of federal civil rights violations, false arrest, and excessive force by two Sheriff's deputies.

Action Taken:

The Claims Board authorized a statutory rule 68 offer in the amount of \$75,000. 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

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

This lawsuit alleges federal civil rights violations, excessive force, and unreasonable search and seizure by two Sheriff's Department deputies.

Action Taken:

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

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

h. Sharon Watson v. County of Los Angeles
United States District Court Case No. 2:19-CV4149

This lawsuit concerns allegations that an employee with the Department of Mental Health was subjected to disability discrimination.

Action Taken:

Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$260,000.

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

i. Claim of Kimberly Claxton

This discrimination claim involves allegations that an employee with the Probation Department was subjected to disability discrimination, harassment based on gender, and other forms of discrimination.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$93,500.

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

j. **Crystal Chavez, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 563100

This lawsuit involves allegations of emotional injuries suffered by Plaintiff's son while he was in custody with the Probation Department and receiving counseling from a social worker with the Department of Mental Health.

Action Taken:

Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$199,000.

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

5. **Approval of the Minutes of the February 1, 2021, 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.**

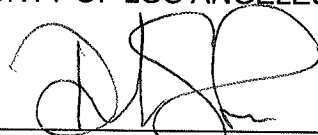
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 12:20 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Derek Stane