



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, June 7, 2021 at 9:30 a.m.**, via online conference call. Members of the public who would like to listen to the open sessions of the meeting may call (323) 776-6996, then enter ID 843 909 530#, at 9:30 a.m. on June 7, 2021.

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, June 7, 2021 at 11:10 a.m. Members of the public who would like to hear reportable actions taken on any Closed Session items may call (323) 776-6996, then enter ID 843 909 530# at 11:00 a.m. on June 7, 2021. Please note that this time is an approximate start time and there may be a short delay before the Closed Session is concluded and the actions can be 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 12 p.m. on Friday, June 4, 2021. 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 supporting documents to claimsboard@counsel.lacounty.gov.

If you would like more information, please contact Derek Stane at dstane@counsel.lacounty.gov.

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 Claim of Joseph Sorrenti

This claim seeks compensation from the Department of Public Works for property damage allegedly caused by a backflow of sewage due to a mainline blockage; settlement is recommended in the amount of \$21,276.26.

[See Supporting Document](#)

b. Salvador Alonso Robles Aguiar v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV21227

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving an employee of the Department of Public Works; settlement is recommended in the amount of \$370,000.

[See Supporting Documents](#)

c. Brian Carlos Mandujano v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV27712

This lawsuit seeks compensation for injuries allegedly sustained while plaintiff was in custody of the Sheriff's Department and assigned to an inmate work crew at the Pitchess Detention Facility; settlement is recommended in the amount of \$175,000.

[See Supporting Documents](#)

d. Bryan Eiermann v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV41745

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's deputy; settlement is recommended in the amount of \$38,000.

[See Supporting Document](#)

- e. Lilliana Rojo, et al. v. Carrie Esmeralda Robles-Plascencia, et al.
Los Angeles Superior Court Case No. 18STCV04535
(Consolidated with BC 689849)

This lawsuit arises from injuries plaintiff allegedly sustained in a multi-vehicle collision involving a Sheriff's deputy; settlement is recommended in the amount of \$45,000.

- f. Jaime Ortiz v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV20846

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's deputy; settlement is recommended in the amount of \$39,999.

[See Supporting Document](#)

- g. Margarita Berrueco, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV27613

This lawsuit involves allegations of civil rights violations and wrongful detention of plaintiff's children by the Department of Children and Family Services; settlement is recommended in the amount of \$75,000.

[See Supporting Document](#)

- h. Ascend Medical Staffing LLC v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV42735

This lawsuit against the Department of Mental Health alleges breach of contract and unjust enrichment for non-payment of services provided; settlement is recommended in the amount of \$48,191.35.

[See Supporting Document](#)

- i. Rowene Fabian v. County of Los Angeles
Los Angeles Superior Court Case No. BC 709853

This lawsuit concerns allegations that a Department of Mental Health employee was subjected to harassment, disparate treatment, and retaliation; settlement is recommended in the amount of \$23,500.

4. Approval of the minutes of the May 17, 2021, 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 an 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 Sewer Backflow Damage Claim of Joseph Sorrenti
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 21,276.26
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	This claim arises from a backflow of sewage resulting from a sewer mainline blockage in Carson, damaging two bedrooms in a residence. Because DPW concluded that the County was responsible for the blockage, settlement of these claims is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Salvador Alonso Robles Aguiar, et al. v. County of Los Angeles, et al.
CASE NUMBER	19STCV21227
COURT	Los Angeles Superior Court
DATE FILED	June 17, 2019
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 370,000
ATTORNEY FOR PLAINTIFF	Carlos A. Gomez, Esq. The Dominguez Firm
COUNTY COUNSEL ATTORNEY	Yuan Chang, Deputy County Counsel
NATURE OF CASE	This case arises from a vehicle versus pedestrian accident which occurred on July 31, 2018, at the intersection of Hooper Avenue and 58 th Drive, in an unincorporated area of the County, near the City of Los Angeles. Due to the risks and uncertainties of litigation, a full and final settlement of the case is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 34,753
PAID COSTS, TO DATE	\$ 29,538

Case Name: ROBLES, SALVADOR A.



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:	July 13, 2018
Briefly provide a description of the incident/event:	Plaintiff Salvador Robles was riding his non-motorized Razor scooter northbound through an unmarked crosswalk on the West side of Hooper Avenue at the intersection of 58th Avenue when a collision with a County Public Works truck occurred.

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

Plaintiff may have violated California Vehicle Code Section 29154(a) which requires pedestrians to yield the right-of-way to all vehicles in a marked or unmarked crosswalk at an intersection. Conversely, the Public Works driver may have violated California Vehicle Code Section 21950 (a) which requires vehicles to yield the right-of-way to a pedestrian crossing the roadway within any marked or unmarked crosswalk at an intersection.

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

The Public Works Automotive Safety Committee reviewed the matter and found the vehicle incident to be Non-Preventable. No further actions contemplated.

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.

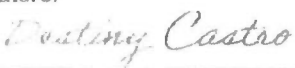
Name: (Risk Management Coordinator)
Michael J. Hays

Signature *M J Hays*

Date: March 3, 2021

County of Los Angeles
Summary Corrective Action Plan

Name: (Department Head) Mark Pestrella	
Signature: 	Date: 4/28/21

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Destiny Castro	
Signature: 	Date: 03/04/2021

MH:psr
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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Brian Carlos Mandujano v. County of Los Angeles
CASE NUMBER	19STCV27712
COURT	Los Angeles Superior Court
DATE FILED	August 7, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 175,000
ATTORNEY FOR PLAINTIFF	Calvin C. Schneider, III, Esq.
COUNTY COUNSEL ATTORNEY	Yuan Chang Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an October 3, 2018, accident at Pitchess Detention Center which caused personal injuries to Plaintiff while he was assigned to an inmate work crew. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 29,553
PAID COSTS, TO DATE	\$ 8,017

Case Name:

Brian Carlos Mandujano V. County of Los Angeles

County of Los Angeles

Summary Corrective Action Plan

**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:

Briefly provide a description of the incident/event:

- On October 3, 2018, the Plaintiff was assigned to an inmate work crew at the Pitichess Detention Center. The inmate work crew was tasked with moving tree stumps and rounds from one trailer to another.
- While the inmate work crew was in the process of transferring several wood rounds and stumps, the custody assistant crew leader stepped away for a drink of water. As the inmate crew continued to work, the plaintiff's hand became pinned between the side of the trailer and a tree stump.
- Custody staff immediately called paramedics and the Plaintiff was taken to Henry Mayo Newhall Hospital for medical treatment.

Case Name:Brian Carlos Mandujano V. County of Los Angeles

County of Los Angeles
Summary Corrective Action Plan

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

The primary **Departmental** root cause in this incident was the failure of custody staff to have direct visual contact of the work being performed to properly ensure every member of the inmate work crew was alert and ready for the movement of the wood logs between trailers.

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

Training

- In an effort to reduce injuries to inmates and staff, custody personnel who supervise inmate work crews attend daily morning briefings. Topics covered at these briefings include how to properly communicate to inmate workers instructions, ensure all inmate workers are familiar with the requested task, and ensure all proper safety protocols are in place before performing any laborious task
- Inmate crew leaders are also briefed on the importance of having proper visual contact on tasks being performed by their inmate work crews.



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Destiny

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Bryan Eiermann v. County of Los Angeles, et al.
CASE NUMBER	19STCV41745
COURT	Los Angeles Superior Court
DATE FILED	November 19, 2019
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 38,000
ATTORNEY FOR PLAINTIFF	Greg Woodhead, Esq. Movagar & Yamin, PLC
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas, Esq. Assistant County Counsel
NATURE OF CASE	This lawsuit arises from a motor vehicle collision on July 16, 2019, in which Plaintiff sustained personal injuries when a vehicle operated by a Sheriff's Deputy collided with Plaintiff's vehicle in Santa Clarita. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 15,769.50
PAID COSTS, TO DATE	\$ 4376.42

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jaime Ortiz v. County of Los Angeles
CASE NUMBER	20STCV20846
COURT	Los Angeles Superior Court
DATE FILED	June 3, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 39,999
ATTORNEY FOR PLAINTIFF	David Abrahamian, Esq. Nordanyan Law
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an automobile collision that occurred on December 15, 2019, when a vehicle operated by an employee of the Los Angeles County Sheriff's Department collided with Plaintiff's vehicle in the intersection of Slauson Avenue and Atlantic Avenue. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 13,091
PAID COSTS, TO DATE	\$ 70

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Margarita Berrueco, et al. v. County of Los Angeles, et al.
CASE NUMBER	19STCV27613
COURT	Los Angeles Superior Court
DATE FILED	February 20, 2020
COUNTY DEPARTMENT	Department of Children & Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 75,000
ATTORNEY FOR PLAINTIFF	Viktor Ginko Vincent W. Davis & Associates
COUNTY COUNSEL ATTORNEY	Katherine M. Bowser Principal Deputy County Counsel
NATURE OF CASE	<p>Plaintiffs claim that their constitutional rights were violated when the two minor children were detained for three days without a warrant.</p> <p>Due to the high risk of 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 \$75,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 14,715
PAID COSTS, TO DATE	\$ 210

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ascend Medical Staffing LLC v. County of Los Angeles
CASE NUMBER	19STCV42735
COURT	Los Angeles Superior Court
DATE FILED	11/26/2019
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$ 48,191.35
ATTORNEY FOR PLAINTIFF	Jay Christofferson, Esq.
COUNTY COUNSEL ATTORNEY	Jennifer Gysler, Esq. Monroy, Averbuck & Gysler Kelly A. Hassel Deputy County Counsel
NATURE OF CASE	<p>In 2018, the County solicited bids for non-psychiatric transitional services for the Los Angeles County Department of Mental Health ("DMH"), and Ascend Medical Staffing ("Ascend") had the lowest bid.</p> <p>Based on communications with a County employee Ascend began providing non-psychiatric transitional services for DMH. However, a Purchase Order ("PO") was never finalized. Since a PO was never finalized the County did not fully reimburse Ascend for the services provided.</p> <p>Ascend filed a civil action against the County for breach of contract and unjust enrichment, and is seeking payment for transitional non-psychiatric services Ascend provided.</p>
PAID ATTORNEY FEES, TO DATE	\$ 7,326.00
PAID COSTS, TO DATE	\$ 0

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

MAY 17, 2021

1. Call to Order.

The meeting of the County of Los Angeles Claims Board was called to order at 9:37 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: Mark Lomax, and Narbeh Bagdasarian; Department of Health Services: Arun Patel, Jacqueline Lazo-Belague, and Patti Sloan; Sheriff's Department: Christopher Johnson, Melynie Rivers, and Shanese Winfrey.

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 9:39 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.

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

At 10:49 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. Non-Litigated Auto Subrogation Claim of Privilege Underwriters Reciprocal Exchange

This claim for property damage arises from a collision between insured's vehicle and a Sheriff patrol vehicle.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$22,989.20

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

b. **Virginia Cuevo, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCP02357

This wrongful death lawsuit arises from injuries sustained by a patient who died after falling while hospitalized at Olive View Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$230,000.

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

5. **Approval of the Minutes of the May 3, 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 10:50 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By  _____
Derek Stane