

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, OCTOBER 4, 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. Orlando Rouchon, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 2:18-CV-10029
This lawsuit alleges civil rights violations against the Department of Children and Family Services.
Action Taken:
The Claims Board approved settlement of this matter in the amount of \$99,999.99.
Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers
[See Supporting Document](#)
 - b. Desiree Grisham v. County of Los Angeles, et al.**
United States District Court Case No. 2:16-CV-08079
This lawsuit alleges civil rights violations against the Sheriff's department while the plaintiff was incarcerated at the Century Regional Detention facility.
Action Taken:
The Claims Board approved settlement of this matter in the amount of \$38,000.
Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers
[See Supporting Document](#)

c. **Sohntee Webb v. County of Los Angeles, et al.**
United States District Court Case No. 2:19-CV-09353

This lawsuit alleges civil rights violations against the Sheriff's department for injuries allegedly sustained at the Inmate Reception Center.

Action Taken:

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

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

[See Supporting Document](#)

d. **Jenny Youngnim Jung v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19AVCV00526

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's Department sergeant.

Action Taken:

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

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

[See Supporting Document](#)

e. **Marco Banderas, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV27953

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a sergeant with the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$61,000.

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

[See Supporting Document](#)

f. **Barry John Montgomery v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC692204

This lawsuit alleges assault, battery, and civil rights violations against Sheriff's deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$2,750,000.

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

[See Supporting Documents](#)

g. **Carmen A. Trutanich v. County of Los Angeles, et al.**
Los Angeles Court Case No. 20STCV09359

This lawsuit seeks reimbursement of legal expenses incurred in defending a State Bar disciplinary proceeding.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$225,000.

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

[See Supporting Document](#)

h. **Richard Gerald Hall III v. Los Angeles County Department of Public Works, et al.**
Los Angeles Superior Court Case No. 19STCV07297

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 settlement of this matter in the amount of \$66,000.

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

[See Supporting Document](#)

i. **Carrie Wiley v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV22419

This lawsuit concerns allegations that an employee of the Department of Public Works was subjected to discrimination, harassment, and retaliation.

Action Taken:

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

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

j. **Judith Zissa v. County of Los Angeles**
United States District Court Case No. 2:18-CV-10174

This class action lawsuit involves allegations that plaintiff and other social workers were not properly compensated by the Department of Children and Family Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$2,350,000.

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 September 20, 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

[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 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.

No such matters were discussed.

7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Orlando Rouchon, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:18-cv-10029
COURT	United States District Court, Central District of California
DATE FILED	November 30, 2018
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 99,999.99
ATTORNEY FOR PLAINTIFF	Donnie R. Cox, Esq. Law Office of Donnie R. Cox Paul W. Leehey, Esq. Law Office of Paul. W. Leehey
COUNTY COUNSEL ATTORNEY	Shawn Luna Deputy County Counsel Avi Burkwitz, Esq. and Gil Burkwitz, Esq. Peterson Bradford Burkwitz LLP
NATURE OF CASE	This is a recommendation to settle for \$99,999.99 this lawsuit against the County of Los Angeles, the Department of Children and Family Services, and several employees alleging that Plaintiffs' constitutional rights were violated when social workers failed to obtain notice or consent to conduct a school interview, and a forensic medical interview and exam.
PAID ATTORNEY FEES, TO DATE	\$ 58,364
PAID COSTS, TO DATE	\$ 3,800

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Desiree Grisham v. County of Los Angeles, et al.
CASE NUMBER	2:16-CV-08079
COURT	United States District Court
DATE FILED	March 4, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 38,000
ATTORNEY FOR PLAINTIFF	Michael Mestitz of Williams & Connolly, LLP
COUNTY COUNSEL ATTORNEY	Richard Hsueh, Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$38,000, inclusive of attorneys' fees and costs, this Priority 4 federal civil rights lawsuit filed by Plaintiff Desiree Grisham against the County and Sheriff's Deputies , alleging federal civil rights violations arising from her incarnation at the Sheriff's Department Century Regional Detention Facility.</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 \$38,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 75,154
PAID COSTS, TO DATE	\$ 2,505

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Sohntee Webb v. County of Los Angeles, et al.
CASE NUMBER	2:19-cv-09353-GW-GJs
COURT	United States District Court
DATE FILED	10/30/2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 40,000
ATTORNEY FOR PLAINTIFF	Jonathan Redford, Esq.
COUNTY COUNSEL ATTORNEY	Steven Edwards, Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$40,000, inclusive of attorneys' fees and costs, a lawsuit filed by Sohntee Webb ("Plaintiff") against the County of Los Angeles and two Sheriff's deputies alleging federal civil rights violations and related state-law claims.</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 of the case in the amount of \$40,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 20,089
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jenny Youngrim Jung v. County of Los Angeles, et al.
CASE NUMBER	20STCV14395
COURT	Los Angeles Superior Court
DATE FILED	April 14, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 99,999
ATTORNEY FOR PLAINTIFF	Min Tiffany Seong, Esq.
COUNTY COUNSEL ATTORNEY	Tom Gutterres, Esq., Collins + Collins, LLP
NATURE OF CASE	This lawsuit arises from an automobile collision that occurred on September 10, 2019, when a patrol vehicle operated by a Los Angeles County Sheriff's Department Sergeant rear-ended the Plaintiffs' vehicle on Colima Road. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 18,259
PAID COSTS, TO DATE	\$ 2,968

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marco Banderas, et al. v. County of Los Angeles, et al.
CASE NUMBER	19STCV27953
COURT	Los Angeles Superior Court
DATE FILED	August 6, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 61,500
ATTORNEY FOR PLAINTIFF	Steven Berkowitz Etehad Law, APC
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	<p>On January 19, 2018, Plaintiffs Marco Banderas, Monica Marroquin, and Stuart Banderas and a Sheriff's Department patrol vehicle collided in the intersection of Manchester Avenue and Western Avenue in Los Angeles. Plaintiffs contend the collision caused injuries for which they seek damages.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$61,500 is recommended</p>
PAID ATTORNEY FEES, TO DATE	\$ 15,432
PAID COSTS, TO DATE	\$ 7,063

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Barry John Montgomery v. County of Los Angeles, et al.
CASE NUMBER	BC692204
COURT	Los Angeles County Superior Court
DATE FILED	February 2, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 2,750,000
ATTORNEY FOR PLAINTIFF	Law Office of Ian Wallach and Law Office of J. Blacknell & Associates
COUNTY COUNSEL ATTORNEY	Minas Samuelian, Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,750,000 inclusive of attorneys' fees and costs, a lawsuit filed against the County and Los Angeles Sheriff's Department Deputies by Barry John Montgomery ("Plaintiff") alleging assault, battery, intentional infliction of emotional distress, and State-law civil rights violations.</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 \$2,750,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 87,972
PAID COSTS, TO DATE	\$ 97,251

Case Name: Barry Montgomery 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:	July 14, 2014
Briefly provide a description of the incident/event:	<p><u>Barry Montgomery v. County of Los Angeles et al.</u> Summary Corrective Action Plan 2021-25</p> <p>On July 14, 2014, at approximately 9:15 p.m., two on-duty Los Angeles County deputy sheriffs from Compton Station, assigned to the Summer Enforcement Team (SET), were driving a marked black and white patrol vehicle while patrolling the south-side parking lot of Enterprise Park (13055 Clovis Avenue, Los Angeles, Ca. 90059).</p> <p>Note: The Summer Enforcement Team (SET) is a program that was created to suppress gang violence, property crimes, and narcotic activities.</p> <p>As deputies one and two were patrolling the parking lot, they smelled burnt marijuana and observed the plaintiff standing underneath a covered patio. Deputies one and two exited their vehicle (approximately 20-25 feet away), and they observed the plaintiff holding what appeared to be a marijuana cigarette. Deputy one asked the plaintiff if he was smoking marijuana, and the plaintiff replied, "Yes, I am smoking marijuana, Westside Piru, fuck you!"</p> <p>Note: Enterprise Park is well known location where the "Westside Piru" gang members frequently hang-out. "Westside Piru" is a well-known Compton based street gang.</p> <p>Deputy one asked the plaintiff for his identification, but the plaintiff did not have it in his possession. However, the plaintiff provided the deputies his information for a records check. Deputy one stood near the plaintiff, while deputy two utilized the patrol vehicle's Mobile Digital Computer (MDC) to conduct a records check of the plaintiff. The MDC return did not indicate the plaintiff had any wants or warrants. After the records check, deputy one asked the plaintiff if he had any other illegal items on his person, but the plaintiff did not respond. Deputy one attempted to detain the plaintiff pending narcotics investigation by asking the plaintiff to turn around and place his hands behind his back. The plaintiff did not comply and lunged towards deputy one and yelled, "I'm going to kill both of you with my deuce-deuce (a street term used to describe a .22 caliber for a firearm)!"</p> <p>Suddenly without cause, the plaintiff threw a punch at deputy one, which connected with deputy one's shoulder as he moved to duck the punch. Deputy one grabbed and tackled the plaintiff. After the take down, the plaintiff landed on the ground (face up) and deputy one landed (face down) on top of the plaintiff. While on the ground, the plaintiff continued throwing punches at deputy one.</p>

Deputy one responded by striking the plaintiff in his face 2-3 times with his elbow. The strikes did not stop the plaintiff, but it enabled deputy one enough control to turn the plaintiff over onto his stomach.

Deputy two observed the struggle between deputy one and the plaintiff. Deputy two broadcast emergent traffic via his handheld radio that a deputy was involved in a fight. When deputy two went over to assist deputy one, he observed the plaintiff was face down with his hands underneath his body (near his waist band) and deputy one on top of him. Deputy two feared that the plaintiff was reaching for a weapon, so he grabbed the plaintiff's left arm, but he tensed up resisted deputy two's effort. In an effort to overcome the plaintiff's resistance, deputy two punched the plaintiff 2-3 times on his left side (rib cage) which allowed him to gain control of the plaintiff's left wrist.

Deputy three was on a call for service near deputies one and two's location when he heard the emergent radio traffic. When deputy three arrived onto the scene, he was advised that the plaintiff mentioned he had a firearm and was instructed to grab the plaintiff's right arm. Deputy three attempted to gain control of the plaintiff's right arm by giving him verbal commands, "Give me your hand," but the plaintiff did not comply and resisted by drawing his arm further underneath his body.

In fear that the plaintiff was attempting to retrieve his firearm, Deputy three punched the plaintiff two times on the right side of his face. Although the punches dazed the plaintiff, he still refused to release his arm. Deputy three then elbowed the plaintiff in his face. The elbow strike was effective and deputy three was able to handcuff the plaintiff.

After the incident the deputies sat the plaintiff near the park benches and requested paramedics to their location. The deputies searched the plaintiff and retrieved less than an ounce of marijuana from the plaintiff's person. No weapons were found.

Note: The plaintiff's mother arrived at the scene and was interviewed. She informed deputies that the plaintiff was diagnosed with Schizophrenia and Tourette's Syndrome at the age of fourteen.

The plaintiff was transported to Harbor General Hospital (1000 W. Carson St., Torrance) and treated for his injuries. The plaintiff sustained a broken left orbital, broken nose, and rib fractures on his right side. He also sustained some additional injuries from the altercation: lacerations, swelling to his face, and abrasions to the upper portion of his back (**Exhibit A**).

On July 15, 2014, at 4:00 a.m., the plaintiff was interviewed at the hospital by Compton Station's Watch Commander. During the supervisory interview the plaintiff admitted he went to the park to smoke marijuana as he was afraid of getting caught by his parents. He additionally admitted, he told deputies one and two he had a "deuce-deuce" and he was from "Westside Piru" gang.

The plaintiff advised he made the statements about being affiliated with a gang and having a gun to prevent the deputies from touching him. However, when both deputies contacted him, the plaintiff had a quick reaction and threw a punch at deputy one.

	<p>The plaintiff alleged, he was tackled, punched two to three times in the face and either kicked or punched in the rib cage.</p> <p>The plaintiff was booked for 69 PC - Resisting an Executive Officer with Force, and 11357(b) HS Possession of Marijuana.</p> <p>Deputies one and two were not injured and did not complain of pain. The third deputy sustained a sprain to his right wrist. He was medically treated and released.</p> <p>Note: Deputies one, two and three did not have any prior contact with the plaintiff and were not aware of his mental condition.</p> <p>On July 15, 2014, at 10:21 p.m., The Los Angeles County Sheriff's Department Internal Affairs Bureau (IAB) Investigators responded to Harbor-UCLA General Hospital to conduct an internal investigation regarding this incident. The investigators interviewed, observed, and photographed the plaintiff.</p> <p>Additionally, on July 15, 2014, IAB investigator obtained the incident report and supplemental reports.</p> <p>On July 18, 2014, the plaintiff's family made several allegations of misconduct by deputies. The family alleged deputies at Enterprise Park, discharged their firearms, tased the plaintiff, and dragged him into a nearby restroom to assault him.</p> <p>IAB investigators continued their active investigation regarding the force used and misconduct allegations. IAB investigators canvassed the surrounding neighborhood in order to locate witnesses. However, no witnesses were found.</p> <p>On July 21, 2014, IAB investigators contacted Los Angeles Sheriff's Department Park's Bureau regarding the possibility of existing "pole cams" in the area. However, they were advised there were no "pole cams" at Enterprise Park, which would have possibly recorded the incident.</p> <p>Note: "Pole cams" are stationary, fixed cameras which are mounted on elevated structures for surveillance purposes.</p> <p>On July 23, 2014, IAB investigators contacted Los Angeles County Park and Recreation workers one and two. Enterprise Park worker one advised on July 14, 2014, the restrooms were locked at approximately 6:00 p.m. and during lock-up inspection he did not see any blood and the restroom was empty.</p> <p>Enterprise Park worker two reported On July 15, 2015, at approximately 5:30 a.m., the restroom was locked. Upon opening the restroom he noticed red droplets (possibly blood) underneath the left sink in the restroom.</p> <p>After a thorough use of force and misconduct investigation, IAB concluded their administrative investigation.</p> <p>The Los Angeles County District Attorney's Office filed two felony charges against the plaintiff. The preliminary hearing was held on April 21, 2015.</p>
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	<p>At the conclusion of the hearing, the court reduced the plaintiff's two felony charges to misdemeanors, 69 PC Resisting an Executive Officer and 148 (a)(1) PC Resisting Arrest.</p> <p>During the preliminary hearing testimony deputies one and two had conflicting statements as it pertains to their use of force during the incident.</p> <p>On June 16, 2015, the Los Angeles County Sheriff's Department, Executive Force Review Committee reviewed this case and determined the deputies one, two, and three actions were within Los Angeles County Sheriff's Department policy.</p> <p>In August of 2016, the plaintiff's attorney filed a motion to have the plaintiff declared mentally incompetent to stand trial and ordered out-patient treatment with the Department of Mental Health for a maximum of one year.</p> <p>In February of 2017, the court determined there was no likelihood the plaintiff would be restored to competency by expiration date of August 2017. The criminal complaint was ultimately dismissed.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was the deputies splitting up after their initial contact with the plaintiff. Two deputies would have allowed better control during the encounter.

A **Department** root cause in this incident was the deputies' inability to review their reports and properly prepare prior to testifying in court.

A **Department** root cause in this incident was the deputies did not recognize the plaintiff displayed symptoms of mental illness.

Another **Department** root cause in this incident was the deputies did not have equipment (Body Worn Camera) to video record their contact with the plaintiff, in order to prove or disprove plaintiff's allegations.

A non-**Department** root cause in this incident was the plaintiff did not cooperate and subsequently became hostile and combative toward deputy personnel.

2. Briefly describe recommended corrective actions:

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

Internal Affairs Bureau Investigation

This incident was investigated by representatives of the Los Angeles County Sheriff's Department Internal Affairs Bureau.

On July 16, 2015, the Executive Force Review Committee (EFRC) reviewed the case and determined the Use of Force by all three deputies was consistent with Department Policy.

Corrective Action: EFRC committee recommended refresher training courses and the training courses were completed.

Body Worn Cameras

As of November 2020, all personnel assigned to Compton Station were issued a Body Worn Camera in an effort to ensure all public contact is transparent. The use of BWC's ensures reliable recording of

enforcement and investigative contacts with the public. The Department established policy and procedures for the purpose, use, and deployment of the Department issued BWC:

- Must be turned on during all public contacts and reviewed by the employee.
- Collect evidence for use in criminal investigation and prosecutions.
- Deter criminal activity and uncooperative behavior during law enforcement interactions with the public.
- Promote accountability.
- Assist with resolving public complaints and administrative investigation.
- Supervisors conduct random daily audits of Body Worn Cameras to ensure compliance.

County of Los Angeles
Summary Corrective Action Plan

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

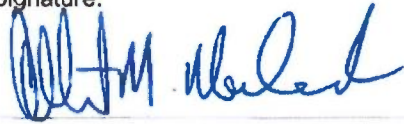
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain
Risk Management Bureau

Signature:



Date:

9/7/21

Name: (Department Head)

Kelly M. Porowski, Chief
Professional Standards Division

Signature:



Date:

9/21/21

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:

9/22/2021

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Carmen Trutanich vs. County of Los Angeles, et al.
CASE NUMBER	20STCV09359
COURT	Los Angeles Superior Court
DATE FILED	March 6, 2020
COUNTY DEPARTMENT	District Attorney's Office
PROPOSED SETTLEMENT AMOUNT	\$ 225,000
ATTORNEY FOR PLAINTIFF	Timothy C. Cronin, Esq. The Cronin Law Group
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$225,000, a lawsuit filed by former Deputy District Attorney Carmen Trutanich seeking reimbursement of legal expenses incurred in defending a California State Bar disciplinary proceeding that was ultimately dismissed in his favor. That disciplinary proceeding arose out of alleged prosecutorial misconduct (i.e., failure to produce "Brady information" to the defense) during a 1985 murder case in which Mr. Trutanich was the prosecutor.</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	\$ 88,357
PAID COSTS, TO DATE	\$ 1,184

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Richard Gerald Hall III v. Los Angeles County Department of Public Works, et al.
CASE NUMBER	19STCV07297
COURT	Los Angeles Superior Court
DATE FILED	March 1, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 66,000
ATTORNEY FOR PLAINTIFF	Ryne Osborne, Esq. Law Offices of Jacob Emrani
COUNTY COUNSEL ATTORNEY	Richard K. Kudo PRINCIPAL DEPUTY COUNTY COUNSEL
NATURE OF CASE	This case involves a vehicle collision that occurred on November 13, 2018, in the City of Los Angeles, when a Department Public Works' truck driven by a department employee collided into the car driven by plaintiff Richard Gerald Hall III. Plaintiff claims to have suffered injuries and damages from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 36,781
PAID COSTS, TO DATE	\$ 14,283

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

SEPTEMBER 20, 2021

1. Call to Order.

The meeting of the County of Los Angeles Claims Board was called to order at 9:41 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, Joseph Langton, Yuan Chang, Jonathan McCaverty, Minas Samuelian, Jasmine Bath, Lynette Wilson, Pirjo Ranansingh, and Camille Granville; Department of Public Works: Michael Hays, Ronald Castaneda, and Martin Moreno; Sheriff's Department: Melynie Rivers, Joseph Garrido, Thomas Giandomenico, Kerry Carter, Jason Skeen, Daniel Holguin, Yolanda Figueroa, Celeste Trujillo, Jodi Hutak, Deryl Walker, and Shanese Winfrey; Internal Services Department: Bryce Tyler; Probation Department: Chereise Martin; Department of Health Services: Karen Nunn; Public Defender's Office: Michael Suzuki; and outside counsel: Jeffrey Hausman, Avi Burkwitz, Marija Decker, Tom Guterres, Michael Smith, and Andy Baum.

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 9:42 a.m., the Chair convened the meeting into closed session to discuss the items listed as 4(a) through 4(j).

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 12:20 p.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 Claim of Sandra Orellana

This claim involves property damage sustained when a suspect was forcibly removed from a residence by Sheriff's Department personnel; settlement is recommended in the amount of \$22,030.99.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$22,030.99.

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

b. Non-Litigated Claims of Nicholas D. Sherwin and Lois L. Sherwin

Claimants seek compensation from the Department of Public Works for property damage allegedly caused by a backflow of sewage due to a mainline blockage.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$141,094.41.

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

c. Non-Litigated Claim of Sandra and Jorge Alcala

Claimants seek compensation from the Department of Public Works for property damage allegedly caused by a backflow of sewage due to a mainline blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$43,486.17.

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

**d. Nicholas Diaz, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19AVCV00526**

This dangerous condition lawsuit arises from injuries plaintiff allegedly sustained when she fell into a drainage culvert near a roadway intersection in Lancaster.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$95,000.

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

**e. Rodrigo DeCasas v. Mark Ridley-Thomas, et al.
United States District Court Case No. CV 20-09265 MWF**

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 12-year pre-trial detention.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$2,150,000.

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

f. **Lyle Spruill v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-CV-07909

This lawsuit asserts federal civil rights violations arising from an allegedly improper search and seizure and unlawful arrest by Sheriff's Department deputies.

Action Taken:

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

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

g. **Ronna Jurow, M.D. v. County of Los Angeles, et al.**
Los Angeles Court Case No.: 20STCV02260

This lawsuit concerns allegations that a physician specialist with the Department of Health Services was subjected to age discrimination and harassment.

Action Taken:

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

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

h. **Alfonso Mejia v. County of Los Angeles**
Los Angeles Superior Court Case No. BC721172

This lawsuit concerns allegations that an employee of the Probation Department was subjected to disability discrimination, harassment, and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$49,999.

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

i. **Frank Lee v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCP04738

This lawsuit concerns allegations that an employee of the Internal Services Department was subjected to discrimination, harassment, and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$50,000.

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

j. **Noah Kirk v. County of Los Angeles**
United States District Court Case No. 2:18 CV-03651
Los Angeles Superior Court Case No. 19STCV01356

These lawsuits concern allegations that a deputy was subjected to retaliation by the Sheriff's Department.

Action Taken:

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

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

5. **Approval of the Minutes of the August 16, 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 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.**

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 12:26 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By



Derek Stane