

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, FEBRUARY 7, 2022, 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. **Non-Litigated Claims of Chris and Barbara Miloe**

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 \$197,816.70.

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

[See Supporting Document](#)

- b. **Non-Litigated Claims of J & B Sharma, LLC, et al.**

Claimants seek compensation from the Department of Public Works for commercial 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 \$297,933.36.

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

[See Supporting Document](#)

c. **Deborah Browder v. County of Los Angeles, et al.**
Los Angeles County Superior Court Case No. 20STCV19945

This dangerous condition lawsuit against the Department of Public Works arises from injuries plaintiff allegedly sustained in a trip and fall accident.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$25,000.

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

[See Supporting Document](#)

d. **J.W. v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-CV-03002

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$67,500.

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

[See Supporting Document](#)

e. **A.G., a minor v. County of Los Angeles, et al.**
United States District Court Case No. 2:17-CV-00074x

This federal civil rights and wrongful death lawsuit alleges plaintiff's son died due to the use of excessive force by Sheriff's Department deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$3,840,000.

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

[See Supporting Documents](#)

f. **Isaac Shemesh v. County of Los Angeles, et al.**
United States District Court Case No. 2:21-CV-04313-MWF

This federal civil rights lawsuit alleges that plaintiff was unlawfully arrested by the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$43,000.

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

[See Supporting Document](#)

**g. Emma Viviana Leal, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV43899**

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 \$37,000.

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

[See Supporting Document](#)

**h. Davon Murdock v. County of Los Angeles
United States District Court Case No. 2:19-CV-09142-GW-GJs**

This lawsuit arises from injuries that plaintiff allegedly sustained in an altercation with Sheriff's Department custody staff at the Inmate Reception Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$125,000.

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

**i. The Brennan Center for Justice v. Los Angeles County Sheriff's Department
Los Angeles Superior Court Case No. 19STCV20758**

This lawsuit involves the production of records by the Sheriff's Department under the California Public Records Act.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$185,000.

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

[See Supporting Document](#)

**j. Willard Coleman II v. County of Los Angeles
Los Angeles County Superior Court Case No. 18STCV05472**

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

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

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 January 10, 2022, 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 | Non-Litigated Claims of Chris and Barbara Miloe |
| CASE NUMBER | N/A |
| COURT | N/A |
| DATE FILED | N/A |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ 197,816.70 |
| ATTORNEY FOR PLAINTIFF | N/A |
| COUNTY COUNSEL ATTORNEY | Jessica Rivas Deputy County Counsel |
| NATURE OF CASE | This is a recommendation to settle for \$197,816.70, claims brought by Chris and Barbara Miloe for damages sustained to their property on February 6, 2021. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted. |
| PAID ATTORNEY FEES, TO DATE | \$ 0 |
| PAID COSTS, TO DATE | \$ 7,360.64 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Non-Litigated Claims of J & B Sharma, LLC, Wireless Plus, Inc., Western Dental, Hao Yu Liao and My Wireless GLA, Inc. |
| CASE NUMBER | N/A |
| COURT | N/A |
| DATE FILED | N/A |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ 297,933.36 |
| ATTORNEY FOR PLAINTIFF | None |
| COUNTY COUNSEL ATTORNEY | Kelsey Nau, Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$297,933.36, the claims brought by J & B Sharma, LLC, Wireless Plus, Inc., Western Dental, Hao Yu Liao, and My Wireless GLA, Inc., against the County of Los Angeles alleging damages resulting from a sewage back up which occurred on March 24, 2019 at Baldwin Park Towne Center located at 14510 Baldwin Park Town Center Dr., Baldwin Park, California.</p> <p>Due to the risks and uncertainties of litigation, settlement at this time is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 0 |
| PAID COSTS, TO DATE | \$ 0 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Deborah Browder v. County of Los Angeles, et al. |
| CASE NUMBER | 20STCV19945 |
| COURT | Los Angeles Superior Court |
| DATE FILED | May 26, 2020 |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ 25,000 |
| ATTORNEY FOR PLAINTIFF | Carl Kremr, Esq. Moaddel Kremer LLP |
| COUNTY COUNSEL ATTORNEY | David D. Lee, Esq. Deputy County Counsel |
| NATURE OF CASE | This is a dangerous condition of public property lawsuit that arises out of a November 6, 2019, trip and fall accident involving Plaintiff Deborah Browder that occurred at an open utility box near 21653 S. Vermont Avenue in Torrance. Plaintiff claims 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 | \$ 15,698 |
| PAID COSTS, TO DATE | \$ 664 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | J.W. v. County of Los Angeles, et al. |
| CASE NUMBER | 2:20-CV-03002 |
| COURT | United States District Court, Central District |
| DATE FILED | January 2, 2020 |
| COUNTY DEPARTMENT | Department of Children and Family Services |
| PROPOSED SETTLEMENT AMOUNT | \$ 67,500 |
| ATTORNEY FOR PLAINTIFF | Greg W. Garrotto |
| COUNTY COUNSEL ATTORNEY | Jessie Lee Deputy County Counsel |
| | Jill Williams Carpenter, Rothans, and Dumont |
| NATURE OF CASE | Plaintiff claims she suffered abuse and neglect while in the foster home of Lolita Suico where she was placed by DCFS. |
| PAID ATTORNEY FEES, TO DATE | \$ 62,964 |
| PAID COSTS, TO DATE | \$ 5,631 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | A.G., a minor, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | 2:17-CV-00074 |
| COURT | United States District Court |
| DATE FILED | January 5, 2017 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 3,840,000 |
| ATTORNEY FOR PLAINTIFF | Law Office of Olu Orange and Hadsell, Stormer, Renick & Dai LLP |
| COUNTY COUNSEL ATTORNEY | Minas Samuelian, Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$3,840,000 a federal civil rights and wrongful death lawsuit filed by the mother and minor child of Brian Pickett alleging that Sheriff's Deputies used excessive force against Mr. Pickett and caused his death.</p> <p>The Deputies deny the allegations and contend their actions were reasonable.</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 \$3,840,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 344,446 |
| PAID COSTS, TO DATE | \$ 78,017 |



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 6, 2015, at 11:21 p.m. |
| Briefly provide a description of the incident/event: | <p style="text-align: center;"><u>A.G., a minor (Pickett), et. al v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2021-29</p> <p>On January 6, 2015, at 11:21 p.m., two uniformed Los Angeles County deputy sheriffs, assigned to Century Station, responded to a family disturbance call at the location on 123rd Street in Los Angeles. Upon arrival, the decedent's mother advised the deputy sheriffs that the decedent (her son), was acting erratically in her house and had been smoking methamphetamine and phencyclidine (PCP) during the course of the day.</p> <p style="text-align: center;">Note: Phencyclidine is a dissociative drug that has a history of adverse side effects such as hallucinations, mania, delirium, and disorientation.</p> <p>The decedent's mother further advised the decedent threatened her and her daughter (the decedent's sister), calling them "bitches and cunts," then described in graphic detail how he would urinate on them and be "inside them," as he choked them to death.</p> <p>The decedent's mother advised the deputy sheriffs she considered the decedent's threats to be valid due to his aggressive behavior, previous episodes of violence, and previous assaults against her. The decedent's mother said she feared for her life and the safety of her daughter. The decedent's mother told the deputy sheriffs she wanted the decedent to be arrested, and she would follow through with criminal charges against him.</p> <p>The decedent's mother warned the deputy sheriffs the decedent had fought with deputies and police officers in the past and had been tased several different times during his encounters with law enforcement.</p> <p>The deputy sheriffs entered the home and made contact with the decedent in the bathroom. They found the decedent standing on the bathroom counter, squatting in the sink and staring at a mirror. The decedent aggressively told the deputy sheriffs, "Fuck cops! Fuck deputies! Get the fuck out of my house! You guys are not welcome here! I did not call you!" The deputy sheriffs asked what happened between him and his mother. The decedent replied, "That's not my mother, that's my bitch."</p> <p>The two deputy sheriffs backed away from the bathroom and made a plan to not engage the decedent until a field sergeant and additional deputy sheriffs could arrive.</p> |

Upon the arrival of the field sergeant and additional deputy sheriffs, they were briefed about the incident by the initial responding deputy sheriffs. A detailed spoken tactical plan was created and each deputy sheriff was given instructions and assignments, in order to safely contact and arrest the decedent.

The tactical plan and assignments were as follows:

- One deputy sheriff was assigned as a "contact" person, who would be responsible for talking to the decedent and would give calm and controlled verbal commands.
- One deputy sheriff was assigned a Taser.
- Two deputy sheriffs were assigned as "hands on" to control and handcuff the decedent if/when possible.
- An additional deputy sheriff was assigned to standby in the hallway between the living room and bathroom with a second Taser, in case the first Taser was ineffective.

The field sergeant video interviewed the decedent's mother confirming her account of events the decedent had been acting irrational all day, appeared to be under the influence of PCP, and had graphically threatened to kill both her and her daughter. The decedent's mother said she feared for her life and wanted the decedent arrested.

The deputy sheriffs and the field sergeant went to the bathroom and stood in the hallway. They saw the decedent was no longer on the sink, but standing on the floor in front of the mirror. The decedent was breathing heavy and appeared more agitated than during the first encounter. Due to the small bathroom and narrow hallway, the deputies were approximately two to four feet away from the decedent.

The first deputy sheriff gave the decedent several commands to place his hands behind his back and step out of the bathroom. The decedent refused each series of commands. The decedent appeared to get more agitated as he clenched his fists and turned abruptly toward the deputy sheriffs.

The second deputy sheriff saw the decedent's actions and feared that he was about to be attacked. The second deputy sheriff fired his Taser, striking the decedent in the chest. The Taser had little effect on the decedent. The decedent continued to clench his fists and move his arms up and down as he took a few steps backward.

Note: Because the initial Taser deployment had not incapacitated the decedent, and the decedent appeared to still pose a serious danger of assaulting the deputy sheriffs, the second deputy sheriff did not release the trigger of the Taser. Holding the trigger caused the Taser to continue sending an electrical charge past the initial five-second activation cycle.

As the decedent moved backwards, he turned and fell face down into the empty bathtub. The deputy sheriffs rushed into the bathroom and attempted to control and handcuff the decedent. Although the Taser was still activated, the decedent was still uncooperative and resistive. The decedent thrashed his arms around and kicked back his legs "like a donkey" as he shouted, "you're not going to get me." Due to the confined

area and the decedent's violent resistance, the deputy sheriffs were unable to handcuff him in the bathroom.

The third and fourth deputy sheriffs lifted the decedent out of the bathtub, carried him into the hallway, and put him on the ground. Once in the hallway, the decedent continued to violently thrash his arms and legs and the deputy sheriffs struggled to handcuff him. The first deputy sheriff was able to control and pin the decedent's ankles to the back of his legs as the third and fourth deputy sheriffs were able to control his arms for handcuffing.

Note: The deputy sheriff that deployed the Taser advised that he only pulled the switch one time during this incident. The other employees on scene gave statements supporting a single Taser activation. The Taser's use was stopped immediately after the deputy sheriffs handcuffed the decedent.

Based on the Taser activation log showing a 29 second activation (starting at 18:03:23) and only six seconds later it shows a five second activation (starting at 18:03:29), the recorded activation start times have overlap issues.

A Taser expert advised that it is possible for a single intended activation to result in two recorded activations, especially true the longer the trigger activation and the more active the officer is with other activity. It takes 3.2 lbs. of pressure on the switch to activate the device. Releasing only .9 lbs. of pressure on the switch is enough to deactivate the device, but re-applying .9 lbs. of pressure will again cause it to re-activate. The expert also opined that a brief or momentary power loss, like a loose battery connection, could cause multiple recorded activations during a single switch activation.

After being handcuffed, the decedent continued to violently thrash and kick at the deputy sheriffs. The first and fourth deputy sheriffs applied a "Ripp Hobble" to restrain the decedent's legs and reduce his ability to kick them.

Note: At no time did any of the deputy sheriffs clip the Ripp Hobble to the decedent's handcuffs to complete a Total Appendage Restraint Procedure (T.A.R.P.).

The decedent was carried into the living room area where deputies laid him on his left side. The deputy sheriffs monitored the decedent's airway, breathing, and pulse as they requested and waited for paramedics. The decedent had a pulse, was breathing, did not appear to be in distress, and did not have any significant visible injuries.

Just as paramedics arrived, the decedent was found to have gone into cardiac arrest. Emergency lifesaving efforts were performed. The decedent was transported via ambulance to Saint Francis Medical Center.

¹ The "Ripp Hobble" is a one-inch wide polypropylene webbed belting with a one-inch wide steel, alligator-jawed, friction-locking clip on one end and a steel-snap swivel clip on the other end. By using the webbed belt on the locking clip side, a loop can be placed around a person's legs or ankles to maintain better control of the person's legs.

The decedent arrived at the emergency room at 10:16 p.m. in full cardiac arrest. Advanced cardiac life support was given to the decedent but was unsuccessful. The decedent was pronounced dead in the emergency room at 10:39 p.m.

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

A **Department** root cause in this incident was the deputy sheriff's use of the Taser against the decedent for 29 seconds and possibly an additional five seconds.

Another **Department** root cause in this incident was the deputy sheriff's application of the Ripp Hobble on the decedent to restrain his legs.

A **non-Department** root cause in this incident was the decedent's failure to comply with the lawful orders of the Los Angeles County deputy sheriffs.

Another **non-Department** root cause in this incident was the decedent's previously undiagnosed significant medical conditions coupled with the effects of methamphetamine use.

2. Briefly describe recommended corrective actions:

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

The incident was investigated by the Sheriff's Department Homicide Bureau to determine if any criminal misconduct occurred.

The investigation revealed that the decedent sustained one Taser dart in the center chest and the second in the lower left rib area. He also sustained a small laceration near his left eye and abrasion on his left side of his face.

The toxicology indicated that the decedent had evidence of cocaine, marijuana, and methamphetamine in his system at the time of his death. PCP was not detected in his system.

On October 26, 2016, the Los Angeles County District Attorney's Office concluded the deputy sheriffs applied lawful force in detaining the decedent and are not criminally responsible for his death. The Los Angeles County District Attorney's Office will take no further action in this matter.

This incident was investigated by representatives of the Sheriff's Department's Internal Affairs Bureau to determine if any administrative misconduct occurred before, during, or after this incident.

On October 5th, 2017, the results of the administrative investigation were presented to the Executive Force Review Committee (EFRC) for evaluation.

The EFRC determined the tactics and use of force were within Department policy. No recommendations were made and no further action was taken.

Re-current briefings have been implemented on an ongoing basis. These briefings incorporate scenario-based situations similar to this incident. Special attention has been focused on how to make contact with individuals who are under the influence of narcotics and/or interactions with people who are mentally ill. Also discussed is the phenomena known as "excited delirium."

The second deputy sheriff deployed a Taser against the decedent and held the trigger, causing a continuous electrical activation that lasted 29 seconds, well beyond its normal five-second cycle.

Research into the function of the Taser indicates this is not a Taser device malfunction, but rather an intended design function. If a Taser trigger is pulled and released, the Taser will run for a five-second cycle. If during the five-second cycle the safety trigger is turned to safe, the Taser will stop the electrical activation.

The Taser was also designed to work continuously as long as the trigger is held. The ability to maintain a longer activation gives the user the ability to maintain an electrical activation against a violent person, enabling them to safely restrain the person in an effort to stop the threat.

In this incident, 29 seconds represents the amount of time the decedent was initially tased, lifted out of the bathtub, placed on the floor in the hallway, and handcuffed.

Since this incident, the Los Angeles County Sheriff's Department Weapons Training Unit coupled with Department Executives reviewed the safety and effectiveness of the Electronic Immobilization Device (Taser). The Department revised and added clarity to the TASER sections in the Department's Manual of Policy and Procedures. The revision included the renaming of the Taser to the Conducted Electrical Weapon (CEW), updated training requirements, and policy guidelines.

A person is considered hobbled when they are handcuffed, their ankles are held together with a Ripp Hobble restraint device, and the clip end of that device is not connected to the handcuffs.

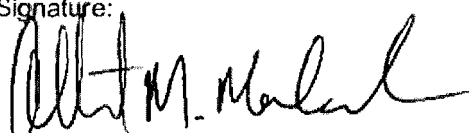
The Department's use of force options chart identifies the Ripp Hobble as a valid force option for a resistive individual.

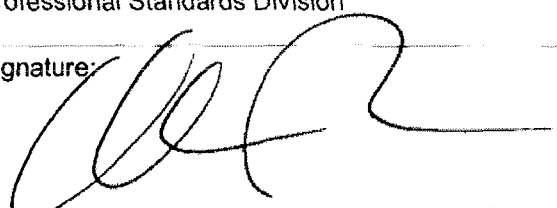
The Ripp Hobble can be an effective tool to restrain a person(s) legs when they are violently kicking and may cause property damage, hurt themselves, or someone else.

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: 8/31/21 |

| | |
|--|------------------|
| Name: (Department Head) | |
| Kelly M. Porowski, Chief Professional Standards Division | |
| Signature:  | Date: 9/29/21 |

| |
|--|
| 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) | |
| Destiny Castro | |
| Signature:  | Date: 9/30/2021 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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|-----------------------------|--|
| CASE NAME | Isaac Shemesh v. County of Los Angeles, et al. |
| CASE NUMBER | 2:21-cv-04313-MWF |
| COURT | United States District Court |
| DATE FILED | December 27, 2019 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 43,000 |
| ATTORNEY FOR PLAINTIFF | Patrick S. Smith, Esq. |
| COUNTY COUNSEL ATTORNEY | Timothy J. Kral, Principal Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$43,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Isaac Shemesh alleging damages for false arrest. Sheriff's Department employees mistakenly listed Plaintiff as a suspect in a grand theft in a crime report. A detective used this crime report to secure an arrest warrant without doing additional investigation. Plaintiff surrendered himself at a Sheriff's station and posted bond. Plaintiff is entitled to economic (bail bond and criminal defense attorney fees) and non-economic damages (emotional distress) for these mistakes. Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. We recommend a full and final settlement of \$43,000 for this case.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 17,890 |
| PAID COSTS, TO DATE | \$ 496 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Viviana Leal, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | 20STCV43899 |
| COURT | Los Angeles Superior Court |
| DATE FILED | November 18, 2020 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 37,000 |
| ATTORNEY FOR PLAINTIFF | Muammar Reed, Esq. |
| COUNTY COUNSEL ATTORNEY | Tomas Guterres Collins + Collins, LLP |
| NATURE OF CASE | This lawsuit arises from an automobile collision that occurred on December 1, 2018, when a patrol vehicle operated by a Los Angeles County Sheriff's Department Sergeant rear-ended the Plaintiffs' vehicle on the southbound Interstate 5 freeway. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted. |
| PAID ATTORNEY FEES, TO DATE | \$ 6,376 |
| PAID COSTS, TO DATE | \$ 0 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | The Brennan Center for Justice at New York University Law School v. County of Los Angeles, et al. |
| CASE NUMBER | 19STCV20758 |
| COURT | Los Angeles Superior Court |
| DATE FILED | November 17, 2020 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 185,000 |
| ATTORNEY FOR PLAINTIFF | Thomas R. Burke, Esq. Davis Wright Tremaine, LLP |
| COUNTY COUNSEL ATTORNEY | Roderick Sasis, Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$185,000, inclusive of attorneys' fees and costs, a California Public Records Act ("PRA") lawsuit filed by the Brennan Center for Justice at New York University Law School ("Plaintiff") against the County.</p> <p>Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$185,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 57,256 |
| PAID COSTS, TO DATE | \$ 2,533 |

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

JANUARY 10, 2022

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:38 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: Yuan Chang, Richard Kudo, Richard Hsueh, Timothy Kral, Minas Samuelian, Pirjo Ranansinghe, Kent Sommer, and Eduardo Montelongo; Fire Department: Julia Kim, and Dennis Breshears; Sheriff's Department: Melynie Rivers, Eli Morejon, Steven Tousey, Holly Francisco, Connie Delgado, Steven Ruiz, Phillip Arellano, Jason Wolak, and Michael Abbot; District Attorney's Office: Julie Dixon Silva.

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(h).

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 11:53 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. Jasiby Sanchez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV34522**

This lawsuit arises from injuries plaintiff allegedly sustained in a vehicle accident involving an employee of the Fire Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$45,000.

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

b. **Angelita Rodriguez v. County of Los Angeles, et al.**
Los Angeles County Superior Court Case No. BC 700777

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$45,000.

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

c. **Michelle Kim, et al. v. Los Angeles County Sheriff's Department, et al.**
Orange County Superior Court Case No. 30-2019-01064880

This lawsuit arises from injuries plaintiff allegedly sustained in a multi-vehicle accident involving a Sheriff's Department detective.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$41,000.

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

d. **Milvian Rodriguez v. County of Los Angeles, et al.**
United States District Court Case No. 2:21-cv-00455

This federal civil rights lawsuit alleges plaintiff was subjected to excessive force during an arrest and traffic stop by Sheriff's Department deputies.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$37,500.

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

e. **Alen Karaboghosian v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-cv-09336-DSF-MRW

This federal civil rights lawsuit alleges plaintiff was assaulted by other inmates while in custody of the Sheriff's Department.

Action Taken:

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

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

f. **Estate of Christopher Nash v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-CV-05012

This federal civil rights lawsuit alleges wrongful death and deliberate indifference to medical needs by the Sheriff's Department.

Action Taken:

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

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

g. **Maurice Cannon v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV11873

This lawsuit concerns allegations that an employee of the Sheriff's Department was subjected to discrimination, harassment, and retaliation.

Action Taken:

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

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

h. **Claim of Courtney Zifkin**

This claim concerns allegations that an employee of the District Attorney's office was subjected to sexual harassment and retaliation.

Action Taken:

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

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

5. **Approval of the Minutes of the December 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

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 11:55 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By  _____
Derek Stane