



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 Los Angeles County Claims Board will hold a regular meeting on **Monday, March 7, 2022 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 679 937 205#, at 9:30 a.m. on March 7, 2022.

Reports of actions taken in Closed Session. The Los Angeles County Claims Board will report actions taken on any Closed Session Items on Monday, March 7, 2022 at 11:50 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 679 937 205#, at 11:45 a.m. on March 7, 2022. 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, March 4, 2022. 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 Claims Board Secretary 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 Claims of Gerardo Penaloza and Alexander Porras

These claims arise from injuries plaintiffs allegedly sustained in an automobile accident involving a Department of Public Works employee; settlement is recommended in the amount of \$21,250.

See Supporting Document
 - b. W.A. Rasic Construction Company, Inc. v. Los Angeles County Flood Control District
Los Angeles Superior Court Case No. 20STCV28404

This lawsuit against the Department of Public Works alleges breach of contract by the Los Angeles County Flood Control District; settlement is recommended in the amount of \$650,000.

See Supporting Document
 - c. Sofia Armendariz-Vidal v. County of Los Angeles
Los Angeles Superior Court Case No. 19BBCV00881

This lawsuit 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 \$103,169.

See Supporting Document
 - d. Judson N. Ball v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV42903

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's Department employee; settlement is recommended in the amount of \$75,000.

See Supporting Document

e. Non-Litigated Claims of Fannie Soriano, et al.

These claims arise from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's Department sergeant; settlement is recommended in the amount of \$33,416.80.

See Supporting Document

f. Non-Litigated Auto Liability Claims of Angel Zavala and Jesus Morales

These claims arise from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's Department deputy; settlement is recommended in the amount of \$46,099.

See Supporting Document

g. Ricardo Silva v. County of Los Angeles, et al.
United States District Court Case No. 20-CV-08756

This lawsuit alleges excessive force and federal civil rights violations by Sheriff's Department deputies; settlement is recommended in the amount of \$80,000.

See Supporting Document

h. Humberto Contreras v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC673742

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a Sheriff's Department sergeant; settlement is recommended in the amount of \$95,000.

See Supporting Document

i. Julie A. Esphorst v. Darryl Leader Hicks, et al.
Los Angeles Superior Court Case No. BC770634
Jessie Franklin Esphorst v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 701531

These consolidated lawsuits arise from an automobile accident involving a Sheriff's Department deputy which resulted in the death of Plaintiff's son; settlement is recommended in the amount of \$6,500,000.

j. LaTanya Nelloms v. County of Los Angeles
Los Angeles County Superior Court Case No. BC712077

This lawsuit concerns allegations that a Sheriff's Department employee was subjected to discrimination, harassment and retaliation; settlement is recommended in the amount of \$165,000.

- k. Dennis Finn v. County of Los Angeles
Los Angeles County Superior Court Case No. 20STSV10676

This lawsuit concerns allegations that an employee of the Department of Children and Family Services was subjected to disability discrimination, harassment, and retaliation; settlement is recommended in the amount of \$1,850,000.

4. Approval of the minutes of the February 7, 2022, 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 Claims of Gerardo Penaloza and Alexander Porras
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 21,250
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Jessica Rivas Deputy County Counsel
NATURE OF CASE	This is a recommendation to settle for \$21,250, claims brought by Gerardo Penaloza and Alexander Porras for damages sustained in a September 12, 2019 traffic collision. 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	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	W.A. Rasic Construction Company, Inc., a California Corporation v. Los Angeles County Flood Control District, A Public Agency
CASE NUMBER	20STCV28404
COURT	Los Angeles Superior Court
DATE FILED	July 28, 2020
COUNTY DEPARTMENT	Los Angeles County Flood Control District
PROPOSED SETTLEMENT AMOUNT	\$ 650,000
ATTORNEY FOR PLAINTIFF	Scott R. Lane Lane & McGowan, LLP
COUNTY COUNSEL ATTORNEY	Warren R. Wellen Principal Deputy County Counsel
NATURE OF CASE	Plaintiff W.A. Rasic Construction Company, Inc. alleges the Los Angeles County Flood Control District failed to pay it for work on the Tujunga Wash-Tujunga Spreading Grounds Enhancement Project, ID No. FCC0001147, pursuant to a contract made and entered into on 5/2/2016.
PAID ATTORNEY FEES, TO DATE	\$ 56,449
PAID COSTS, TO DATE	\$ 5,586

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Sofia Armendariz-Vidal, et al. v. County of Los Angeles
CASE NUMBER	19BBCV00881
COURT	Los Angeles Superior Court
DATE FILED	October 2, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 103,169
ATTORNEY FOR PLAINTIFF	Michael V. Peros, Esq. Peros Law Group, P.C.
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas Assistant County Counsel
NATURE OF CASE	Plaintiffs seek compensation for damages to their real and personal property caused by a sewage backflow on December 16, 2018. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 60,164
PAID COSTS, TO DATE	\$ 37,053

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Judson N. Ball vs. County of Los Angeles, et al.
CASE NUMBER	19STCV42903
COURT	Los Angeles Superior Court
DATE FILED	November 26, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 75,000
ATTORNEY FOR PLAINTIFF	Mauro Fiore, Jr., Esq. Law Offices of Mauro Fiore, JR, APC
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas Assistant County Counsel
NATURE OF CASE	This case involves a vehicle collision that occurred on January 11, 2019, in the City of Whittier, when Parking Control Officer Virginia De La Cruz collided into the car driven by Plaintiff Judson N. Ball. Plaintiff claims to have suffered severe injuries and damages from the accident. Due to the risk and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 25,781
PAID COSTS, TO DATE	\$ 19,517

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Fannie Soriano, Allstate Insurance ASO Gonzalo Soriano, and Mercury Insurance ASO Alicia Decker v. County of Los Angeles
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff - Professional Standards Division - Internal Affairs Bureau
PROPOSED SETTLEMENT AMOUNT	\$ 33,416.80
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel
NATURE OF CASE	This claim arises from an automobile accident involving Los Angeles County Sheriff's Sergeant Dianne Moreno #454398 ("Sgt. Moreno") who struck the vehicles of Claimants Fannie Soriano ("Soriano") and Alicia Decker ("Decker") on December 9, 2020. 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	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Auto Liability Claims of Angel Zavala and Jesus Morales
CASE NUMBER	CRM No. 20-1159638*001-*002
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 46,099
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	These claims seek damages for bodily injuries allegedly sustained when a Sheriff's patrol vehicle collided with claimants' vehicle.
PAID ATTORNEY FEES, TO DATE	\$ -0-
PAID COSTS, TO DATE	\$ -0-

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ricardo Silva v County of Los Angeles, et. al
CASE NUMBER	20-CV-08756
COURT	United States District Court
DATE FILED	September 23, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 80,000
ATTORNEY FOR PLAINTIFF	Justin Palmer
COUNTY COUNSEL ATTORNEY	Carrie Clarke Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$80,000, inclusive of attorneys' fees and costs, this federal civil rights lawsuit filed by Ricardo Silva alleging excessive force during an arrest on January 23, 2019.</p> <p>Given the high risks and uncertainties of litigation, a reasonable settlement will avoid further litigation costs. The full and final settlement amount of \$80,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 32,911
PAID COSTS, TO DATE	\$ 1,104

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Humberto Contreras v. County of Los Angeles, et al.
CASE NUMBER	BC673742
COURT	Los Angeles Superior Court
DATE FILED	August 24, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 95,000
ATTORNEY FOR PLAINTIFF	The Dominguez Firm
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This case involves a left-turn intersection collision in which a Sheriff's Department Ford sport utility vehicle driven by a Deputy Sheriff collided with Plaintiff Humberto Contreras' Toyota sedan while the Deputy Sheriff was making a left turn onto Zonal Avenue from State Street adjacent to LAC+USC Medical Center. 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	\$ 77,378
PAID COSTS, TO DATE	\$ 49,412

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

FEBRUARY 7, 2022

1. Call to Order.

The meeting of the Los Angeles County 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: Jessica Rivas, Kelsey Nau, David Lee, Jessie Lee, Minas Samuelian, Timothy Kral, Kevin Engelen, Steven Edwards, Roderick Sasis, and Pouya Bavafa; Department of Public Works: Michael Hays, Ronald Castaneda, and Bill Winter; Department of Children and Family Services: Armand Montiel; Sheriff's Department: Melynie Rivers, Irma Chavez, Tenaya Brown, Yolanda Figueroa, Kerry Carter, Brian Allen, Michael Gomez, Salvador Becerra, John Burcher, John Gannon, Jason Wolak, and Michael Abbot; Department of Social Services: Simone Agee, and Carlos Molina; Outside Counsel: Jill Williams, Yelena Bakman, Thomas Hurrell, Rickey Ivie, and Sherry Gregorio.

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 12:04 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 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

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

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

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

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

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

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

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

**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

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

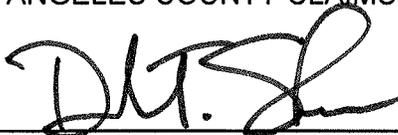
6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

7. Adjournment.

The meeting was adjourned at 12:08 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By  _____
Derek Stane