

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, MARCH 21, 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. **Bridgette Dupree, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV23910**

This wrongful death lawsuit alleges the Department of Children and Family Services failed to adequately investigate abuse allegations.

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

[See Supporting Document](#)

- b. **Marcus Matamoros v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV46198**

This dangerous condition lawsuit alleges the Department of Public Works failed to install an adequate guardrail or barrier that could have prevented an automobile accident causing permanent injuries to plaintiff.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$19,750,000.

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

[See Supporting Documents](#)

c. **Vista Paint Corporation v. Los Angeles Department of Water and Power**
Los Angeles Superior Court Case No. 20STCV40646

Nationwide Mutual Insurance Company v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV48924

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 \$548,500.

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

[See Supporting Document](#)

d. **Eric White v. County of Los Angeles, et al.**
United States District Court Case No. 2:13-CV-03401

This federal civil rights lawsuit alleges plaintiff was subjected to excessive force by the Sheriff's Department while he was detained at Men's Central Jail.

Action Taken:

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

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

[See Supporting Documents](#)

e. **Lateef Noordeen v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC706578

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

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$195,000

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

[See Supporting Document](#)

f. **Brenda Jimenez, et al. v. County of Los Angeles**
Los Angeles County Superior Court Case No. 21STCV19160

This medical malpractice lawsuit alleges that plaintiff suffered injuries and the wrongful death of her newborn baby due to inadequate care and treatment at Los Angeles County + University of Southern California Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$450,000.

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in Closed Session as indicated under Agenda Item No. 3 above.

5. Approval of the Minutes of the March 7, 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	Bridgette Dupree, et al., v. County of Los Angeles, et al.
CASE NUMBER	20STCV23910
COURT	Los Angeles Superior Court
DATE FILED	June 24, 2020
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 80,000
ATTORNEY FOR PLAINTIFF	Christopher M. Keller
COUNTY COUNSEL ATTORNEY	Jessie Lee Deputy County Counsel
	Avi Burkwitz Peterson Bradford Burkwitz LLP
NATURE OF CASE	Plaintiffs allege that DCFS failed to investigate reports of abuse, leading to the death of a minor.
PAID ATTORNEY FEES, TO DATE	\$ 22,677
PAID COSTS, TO DATE	\$ 4,717

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marcus Matamoros v. County of Los Angeles, et al.
CASE NUMBER	19STCV46198
COURT	Los Angeles Superior Court
DATE FILED	December 23, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 19,750,000
ATTORNEY FOR PLAINTIFF	Daniel Balaban, Esq. Balaban and Spielberger, LLP
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Deputy County Counsel
NATURE OF CASE	<p>This is a dangerous condition of public property lawsuit that arises from a single vehicle automobile collision that occurred on September 16, 2018, when the vehicle Mr. Matamoros was travelling in as a passenger left the roadway, crossed a dirt embankment, travelled through a chain-link fence and plunged 10 feet into a creek-bed. The vehicle overturned and Mr. Matamoros became a quadriplegic as a result of his injuries. He claims the County of Los Angeles Department of Public Works is responsible for his injuries as the roadway was in a dangerous condition of public property.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 177,480
PAID COSTS, TO DATE	\$ 33,383

Matamoros, Marcus



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:	September 16, 2018
Briefly provide a description of the incident/event:	On September 16, 2018, at approximately 9:21 p.m., the plaintiff, then 18-years-old, Marcus Matamoros was a front seat passenger in a vehicle driven by then 18-year-old defendant Novin Sepanj, that was traveling westbound on Mulholland Highway, 165 feet east of Troutdale Drive, in the unincorporated Agoura Hills area at a high rate of speed. The vehicle lost control while negotiating a left-hand curve, struck a chain-link fence and creek parapet wall, flipped, and descended into a creek bed landing on the roof of the vehicle. As a result of the collision, the front seat passenger, plaintiff, sustained severe injuries, rendering him a quadriplegic. The driver Mr. Sepanj and his back-seat passenger sustained only minor injuries.

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

The collision occurred due to Novin Sepanj's negligence in the operation of his 2018 Audi A4 by driving without due care and at an unsafe speed. The California Highway Patrol found Mr. Sepanj was the cause of this collision in violation of California Vehicle Code 22350 (speeding). The Traffic Collision Report notes that the matter would be forwarded to the District Attorney for review and prosecution of Mr. Sepanj.

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

The Traffic Safety and Mobility Division (TSM) reviewed the subject location as part of their November 20, 2019, Fatal/Severe Injury Collision Review for the subject collision and determined the roadway was safe.

During TSM's field reiew it was noted that there are existing curve warning (W1-1) signs and advisory 25 mph speed limit (W13-1P) plaques posted in advance of the subject location in both directions. Based on TSM's review, Waring Drive intersects Mulholland Highway within the curve near the subject location. Therefore, on February 27, 2020, Public Works replaced the existing W1-1 signs with modified W1-1 signs on Mulholland Highway in advance of Waring Drive, facing both eastbound and westbond, to warn motorists of the intersection.

TSM has not received any requests to conduct traffic studies at or near the subject location within the last 5 years.

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

County of Los Angeles
Summary Corrective Action Plan

- 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: <i>Michael J. Hays</i>	Date: January 6, 2022

Name: (Department Head) Mark Pestrella	
Signature: <i>Mark Pestrella</i>	Date: <i>2/22/22</i>

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: <i>Destiny Castro</i>	Date: 01/03/2022

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Vista Paint Corporation v. Los Angeles Department of Water and Power, et al., and Nationwide Mutual Insurance Company v. Los Angeles Department of Water and Power, et al.
CASE NUMBER	20STCV40646 (Vista Paint) 20STCV48924 (Nationwide Mutual)
COURT	Los Angeles Superior Court
DATE FILED	October 22, 2020 (Vista Paint) October 19, 2020 (Nationwide Mutual)
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 548,500
ATTORNEY FOR PLAINTIFF	Rachelle Singer, Esq. (Vista Paint) Law Office of Anthony T. Schneider (Nationwide Mutual)
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	Plaintiff Vista Paint Corporation alleges that it sustained damages when a main line sewer backed up and overflowed sewage into its retail paint store located in Lawndale, California. Plaintiff Nationwide Mutual Insurance Company insured Vista Paint Corporation for the loss and seeks reimbursement of the insurance proceeds it paid to its insured. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 14,246
PAID COSTS, TO DATE	\$ 1,872

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Eric White v. County of Los Angeles, et al.
CASE NUMBER	2:13-CV-03401
COURT	United States District Court
DATE FILED	May 13, 2013
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 750,000
ATTORNEY FOR PLAINTIFF	Jeff Dominic Price, Esq.
COUNTY COUNSEL ATTORNEY	Richard Hsueh, Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$750,000 inclusive of attorneys' fees and costs, a federal lawsuit filed by Plaintiff Eric White against the County, former Sheriff Leroy Baca, two Sheriff's Department Deputies and their supervisors, alleging federal and State civil rights violations when multiple Deputies at Men's Central Jail ("MCJ") used force during an incident involving Mr. White.</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 \$750,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 601,090
PAID COSTS, TO DATE	\$ 102,209

Case Name: Eric White #2 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:	May 13, 2009
Briefly provide a description of the incident/event:	<ul style="list-style-type: none">• A Deputy Sheriff was escorting an inmate believed to have received contraband when the inmate assaulted the deputy.• Additional deputies arrived on-scene to assist in gaining control of the inmate. The inmate continued to assault the deputies.• The Deputy Sheriff's used force to gain compliance from the inmate.

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

1. The deputies utilized their flashlights to strike the inmate in an effort to gain compliance from the inmate.
2. There was a delay in the use of a TASER to gain compliance from the inmate.

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

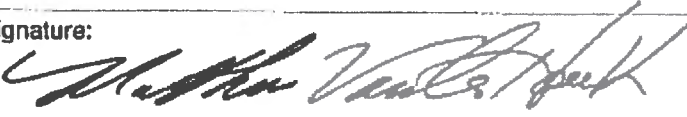
1. Revision of policy regarding flashlights within Custody Division.
2. Recurrent TASER training with scenario based situations.


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: (Unit Commander) Mathew S. Vander Horck, Captain Men's Central Jail	
Signature: 	Date: 10-28-21

Name: (Department Head) Sergio A. Aloma, Chief Custody Services Division – General Population	
Signature: 	Date: 11/8/21

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) CEO Destiny Castro	
Signature: 	Date: 11/09/2021

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lateef Noordeen v. County of Los Angeles, et al.
CASE NUMBER	BC706578
COURT	Los Angeles Superior Court
DATE FILED	May 17, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 195,000
ATTORNEY FOR PLAINTIFF	John J. Perlstein, Esq. Law Office of John J. Perlstein
COUNTY COUNSEL ATTORNEY	LaTasha Corry Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an automobile collision that occurred on April 1, 2017, when a patrol car struck the front driver side of Plaintiff Lateef Noordeen's car. 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	\$ 45,318
PAID COSTS, TO DATE	\$ 34,014

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

MARCH 7, 2022

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:39 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members online for the teleconference meeting were: Chair Steve Robles, Arlene Barrera, and Adrienne M. Byers.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Jessica Rivas, Laura Jacobson, Warren Wellen, Adrian Gragas, Joseph Langton, Mark Lomax, Carrie Clarke, Richard Kudo, Pirjo Ranansingh, and Kent Sommer; Department of Public Works: Michael Hays, Ronald Castaneda, Mark Caddick, Ruben Amezcua, and Bill Winter; Department of Children and Family Services: Armand Montiel; Sheriff's Department: Melynne Rivers, Irma Chavez, Tenaya Brown, Yolanda Figueroa, Shawnee Hinchman, William Jaeger, Ronald Kopperud, Richard Mejia, Kerry Carter, John Haynes, William Hannemann, Ernest Bille, John Trani, Jason Skeen, James Powers, Michael White, Phillip Arrellana, and Jason Wolak; Outside Counsel: Avi Burkwitz, Brian Stewart, Harold Becks, Patrick Stockalper, and Allen Thomas.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject-matter jurisdiction of the Claims Board.

No members of the public were on the public teleconference phone line to address the Claims Board.

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

At 9:40 a.m., the Chair convened the meeting into closed session to discuss the items listed as 4(a) through 4(k).

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 12:44 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 Gerardo Penalzo and Alexander Porras

These claims arise from injuries plaintiffs allegedly sustained in an automobile accident involving a Department of Public Works employee.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$21,250.

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

**b. W.A. Basic 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.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$650,000.

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

**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.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$103,169.

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

**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.

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

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.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$33,416.80.

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

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.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$46,099.

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

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.

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

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.

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

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.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$6,500,000.

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

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.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$165,000.

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

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.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$1,850,000.

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

5. **Approval of the Minutes of the February 7, 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.**

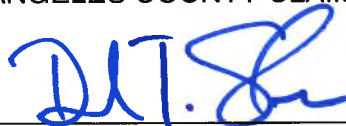
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 12:48 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By



Derek Stane