

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, MAY 16, 2022, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Adrienne M. 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. **J. H., a minor, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV22043

This lawsuit against the Department of Children and Family Services alleges wrongful death and failure to provide mental health services to Plaintiff's mother during the Dependency court process.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$97,500.

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

[See Supporting Document](#)

- b. **Karibbea Young v. County of Los Angeles, et al.**
United States District Court Case No. 20-CV-09503

This lawsuit alleges that the Department of Children and Family Services wrongfully detained plaintiff's son without a warrant and violated his civil rights.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$550,000.

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

[See Supporting Documents](#)

c. **Ellen Lubic v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV19352

This dangerous condition lawsuit arises from injuries allegedly sustained in a trip and fall accident in a parking lot maintained by Public Library.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$72,500.

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

[See Supporting Document](#)

d. **Clyde Seals v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV42577

This lawsuit arises from alleged injuries plaintiff sustained in automobile accident involving a Department of Mental Health employee.

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 M. Byers

[See Supporting Document](#)

e. **Maria Elvira Quintanilla Cebreros v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-CV-09267 RGK

This lawsuit arises from the premature cremation of plaintiff's deceased son's remains by the Department of Medical Examiner-Coroner employees.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$445,000.

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

[See Supporting Documents](#)

f. **Wesley Alarcio v. County of Los Angeles, et al.**
United States District Court Case No. 2:20-CV-00514

This federal civil rights lawsuit alleges failure to protect and failure to summon medical aid against the Sheriff's Department and custody staff.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$7,000,000.

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

**g. Xenethon Sanders v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 18STCV06003**

This lawsuit alleges federal civil rights violations against the Sheriff's Department arising out of plaintiff's arrest in 2017.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$54,125.

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

[See Supporting Document](#)

**h. Eliezer Vera v. County of Los Angeles
Los Angeles Superior Court Case No. BC 680971**

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$99,950.

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

**i. Patricia Koz v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 715037**

This lawsuit concerns allegations that an employee of the Probation Department was subjected to discrimination based on gender and race.

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 M. Byers

**j. Julia Huang v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV10530**

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

Action Taken:

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

Vote: Ayes: 2 – Steve Robles, and Arlene Barrera
Noes: 1 – Adrienne M. 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 May 2, 2022, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne M. 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	J.H., a minor, et al. v. County of Los Angeles
CASE NUMBER	19STCV22043
COURT	Los Angeles Superior Court
DATE FILED	June 24, 2019
COUNTY DEPARTMENT	Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 97,500
ATTORNEY FOR PLAINTIFF	Luis Carrillo
COUNTY COUNSEL ATTORNEY	Katherine Bowser
NATURE OF CASE	<p>Plaintiffs allege that DCFS failed to provide mental health services to their mother during the dependency court process, leading to her suicide.</p> <p>Due to the high risk of and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$97,500 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 62,448
PAID COSTS, TO DATE	\$ 11,866

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Karibbea Young v. County of Los Angeles, et al.
CASE NUMBER	20-cv-09503
COURT	United States District Court, Central District
DATE FILED	August 5, 2020
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 550,000
ATTORNEY FOR PLAINTIFF	Shawn McMillan; Samuel Park
COUNTY COUNSEL ATTORNEY	Shawn Luna Deputy County Counsel Christie Swiss Collins + Collins LLP
NATURE OF CASE	This is a recommendation to settle for \$550,000, inclusive of attorneys' fees and costs, a lawsuit filed against the County of Los Angeles, the Department of Children and Family Services, and several DCFS social workers alleging Plaintiff's constitutional rights were violated when social workers improperly detained her five-month-old son without a warrant, subjected him to an unwarranted medical examination, and lied to the juvenile court to justify and prolong the detention.
PAID ATTORNEY FEES, TO DATE	\$ 78,233
PAID COSTS, TO DATE	\$ 4,298

Case Name: Young, Karibbea v. COLA



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:	05/08/2018
Briefly provide a description of the incident/event:	Plaintiff alleged that her civil rights were violated when the Department of Children and Family Services (DCFS) staff removed her child from her custody without a warrant, conducted a forensic medical exam on her child without a warrant or her consent, and committed judicial deception in their statements to the court.

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

This is an economic settlement.

The lawsuit was filed following a June 03, 2019, California Second Appellate District Court decision. In the decision, the Appellate Court ruled that there was insufficient evidence to support the juvenile court's jurisdictional findings regarding the child.

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

All DCFS social workers receive warrant training at the time of initial hire in the new CSW training academy, refresher training is conducted annually by DCFS County Counsel, E-Learning is available online through the DCFS training website and the warrant policy is available for review on the DCFS policy website.

The DCFS CSW completed an E-Learning through the DCFS Training website on 03/16/2022, regarding legal matters that included topics such as warrants, removals, exigency and consent.

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

- The corrective actions address department-wide system issues
 The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Diane Iglesias, Senior Deputy Director	
Signature: <i>Diane Iglesias</i>	Date: 05/03/2022

Name: (Department Head)	
Brandon T. Nichols, Interim Director	
Signature: <i>[Signature]</i>	Date: 05/03/2022

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:

Destiny Castro

Date:

05/11/2022

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ellen Lubic v. County of Los Angeles
CASE NUMBER	19STCV19352
COURT	Los Angeles Superior Court
DATE FILED	June 4, 2019
COUNTY DEPARTMENT	Public Library
PROPOSED SETTLEMENT AMOUNT	\$ 72,500
ATTORNEY FOR PLAINTIFF	Christopher A. Kanne, Esq. ENGSTROM, LIPSCOMB & LACK
COUNTY COUNSEL ATTORNEY	LaTasha N. Corry, Esq. Deputy County Counsel
NATURE OF CASE	This is a dangerous condition of public property lawsuit arising from a April 10, 2018, trip and fall accident at the Malibu Public Library. 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	\$ 72,713
PAID COSTS, TO DATE	\$ 6,345

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Clyde Seals v. County of Los Angeles, et al.
CASE NUMBER	20STCV42577
COURT	Los Angeles Superior Court
DATE FILED	November 5, 2020
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$ 30,000
ATTORNEY FOR PLAINTIFF	Gerald Labovitch, Esq. Law Office of Gerald Labovitch
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Deputy County Counsel
NATURE OF CASE	This lawsuit arises from an automobile collision that occurred on November 16, 2018, when a County employee collided with Plaintiff's vehicle while making a U-turn on 54 th Street in the city of Los Angeles. Given the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 5,814
PAID COSTS, TO DATE	\$ 75.50

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Maria Elvira Quintanilla Cebreros v. County of Los Angeles, et al.
CASE NUMBER	2:20-cv-09267-RGK (KS)
COURT	United States District Court
DATE FILED	July 20, 2020
COUNTY DEPARTMENT	Medical Examiner-Coroner
PROPOSED SETTLEMENT AMOUNT	\$ 445,000
ATTORNEY FOR PLAINTIFF	Laura M. Sasaki, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu, Principal Deputy County Counsel
NATURE OF CASE	<p>On June 10, 2019, the badly decomposed remains of Jesus Cebreros were found in a plastic bag with various items of property, including a partially destroyed Mexican government identification card. Despite searches through local, state, and federal databases, and a request to the Mexican consulate for assistance, Mr. Cebreros's next of kin could not be identified nor located. Consequently, his remains were approved for cremation on July 30, 2019. Plaintiff, Mr. Cebreros's mother, was eventually informed in August 2019 that her son had died and had been cremated by the Department of Medical Examiner-Coroner.</p> <p>As a result of the allegedly negligent investigation into the location of Plaintiff as the next of kin, Plaintiff alleges she suffered emotional distress damages arising from his premature cremation.</p> <p>Due to the risks and uncertainties of litigation, the County Counsel proposes a full and final settlement of this case in the amount of \$445,000.</p>
PAID ATTORNEY FEES, TO DATE	\$ 99,463
PAID COSTS, TO DATE	\$ 7,100



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:	June 10 to July 30, 2019
Briefly provide a description of the incident/event:	<p>On June 10, 2019, the badly decomposed remains of Jesus Cebreros were found in a plastic bag with various items of property, including a partially destroyed Mexican government identification card. Mr. Cebreros's next of kin could not be identified nor located through searches of local, state, and federal databases. A request to the Mexican consulate for assistance went unanswered. Consequently, Mr. Cebreros's remains were approved for cremation on July 30, 2019. Plaintiff, Mr. Cebreros's mother, was eventually informed in August 2019 that her son had died and had been cremated by the Department of Medical Examiner-Coroner (DME-C).</p> <p>At the time the case was initially investigated by the DME-C investigator, the investigator made photocopies of the documents, including the back of the Mexican government identification card, which had the phone number listing for Mr. Cebreros's mother to be contacted in case of emergency. During the initial search for the next of kin, the DME-C investigator did not review the property nor attempt to make contact through the phone number listed on the property.</p>

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

- A. All available leads to identify and locate next of kin were not utilized by DME-C staff.
- B. The correspondence to the Mexican Consulate did not explicitly request the Mexican Consulate's assistance in locating the next of kin and notification of the Medical Examiner of any results.

2. Briefly describe recommended corrective actions:

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

- A. DME-C management developed a new notification procedure which includes identifying potential sources of information that DME-C staff can use when the next of kin is unknown or unavailable. This procedure is being issued to investigative staff in October of 2021.
- B. The consular notification form has been revised to include explicit language requesting foreign consulate assistance with locating and notifying the next of kin, and to request consulate staff to notify DME-C of any results in their search and notification process. Investigative staff are required to use this form when notifying a consulate of a death of a foreign national and when requesting assistance with identifying, locating, and notifying the decedent's next of kin. This procedure is being issued to investigative staff in October of 2021.

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

Yes – The corrective actions address department-wide system issues.

No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Wendy M. Myring	
Signature: <i>Wendy Myring</i>	Date: 11-30-21

Name: (Department Head) Jonathan Lucas	
Signature: Jonathan Lucas, M.D. <small>Digitally signed by Jonathan Lucas, M.D. Date: 2021.11.30 14:22:00 -08'00'</small>	Date: 11/30/2021

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: 11/30/3021

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Xenethon Sanders v. County of Los Angeles, et al.
CASE NUMBER	STCV06003
COURT	Los Angeles Superior Court
DATE FILED	November 26, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 54,125
ATTORNEY FOR PLAINTIFF	Barry Fischer, Esq. Barry's Law APC
COUNTY COUNSEL ATTORNEY	Richard Hsueh Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$54,125 inclusive of attorneys' fees and costs, this Priority 3 lawsuit filed by Xenethon Sanders against the County, and Sheriff's Department Deputies Konrad Thieme, Samuel Hollinger, Jeffrey Miner, Erick Johnson, Matthew Dowd, Hector Saucedo, Brandon Patin, and Gregory Minster, alleging federal civil rights violations and related State-law claims in connection with Mr. Sanders' arrest in 2017.</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 \$54,125 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 49,117
PAID COSTS, TO DATE	\$ 12,706

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

MAY 2, 2022

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:40 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: Katie Bowser, Jennifer Lehman, Caroline Craddock, Jason Gonzalez, Ed Morrissey, Jonathan McCaverty, and Richard Bloom; Department of Children and Family Services: Christina Lee; Department of Health Services: Sean Henderson, Arun Patel, and Dawn Abarca; Sheriff's Department: Michael Abbott; Probation Department: Frank Adams, Mark Garcia, and Raina Mey; Public Defender's Office: Michael Suzuki; Chief Executive Office: Kim Burch-Garcia, and Susan Moomjean; Auditor – Controller's office: Rachelle Anema; Outside Counsel: David Weiss, Jon Monroy, and Elizabeth Arce.

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 9:41 a.m., the Chair convened the meeting into closed session to discuss the items listed as 4(a) through 4(d).

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 11:17 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. Hayk Arakelyan, et al. v. County of Los Angeles, et al. Los Angeles Superior Court Case No. BC 705879

This lawsuit alleges wrongful death and federal civil rights violations against the Department of Children and Family Services after plaintiff's son died while in foster care.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$90,000.

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

**b. Randall Carrier II, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:17-CV-07231 MRW**

This lawsuit alleges federal civil rights violations and deliberate indifference to safety needs by Sheriff's Department jail staff for the death of an inmate at Twin Towers Correctional Facility.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$4,500,000.

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

**c. Donneley Rabot, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 20-10562**

This lawsuit alleges wrongful death and federal civil rights violations against the Probation Department arising out of a fatal shooting by a Deputy Probation Officer.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$875,000.

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

**d. Haaris Syed v. County of Los Angeles, et al.
United States District Court Case No. 2:19-CV-10410 GW**

This lawsuit concerns allegations that an employee of the Public Defender's Office was subjected to discrimination based on religion and violations of constitutional rights.

Action Taken:

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

Vote: Ayes: 2 – Steve Robles, and Adrienne Byers
Abstentions: 1 – Arlene Barrera

5. Approval of the Minutes of the April 18, 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 11:19 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By  _____
Derek Stane