

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
ON MONDAY, MAY 16, 2016, AT 9:30 A.M.

Present: Steve Robles and Roger Granbo, with Chair John Naimo being absent.

- 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 addressed the Claims Board.

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

- a. Terry Muhammad v. County of Los Angeles, et al.
United States District Court Case No. CV 15-01228**

This lawsuit concerns allegations of excessive force, false arrest, and wrongful incarceration by Sheriff's Deputies. (Continued from the meeting of May 2, 2016)

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$49,000.

Vote: Ayes: 2 – Steve Robles and Roger Granbo
Absent: John Naimo

[See Supporting Document](#)

b. **Manuel Esparza v. County of Los Angeles, et al.**
United States District Court Case No. 14-CV-09937

This lawsuit concerns allegations of the use of excessive force by Sheriff's Deputies on an inmate while in the custody of the Sheriff's Department.

Action Taken:

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

Vote: Ayes: 2 – Steve Robles and Roger Granbo
Absent: John Naimo

[See Supporting Document](#)

c. **Zusser Company, Inc. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 596 634

This breach of contract lawsuit seeks damages against the Department of Public Works – Flood Control District.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$109,500.

Vote: Ayes: 2 – Steve Robles and Roger Granbo
Absent: John Naimo

[See Supporting Document](#)

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, 2016, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Steve Robles and Roger Granbo
Absent: John Naimo

[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 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	Terry Muhammad v. County of Los Angeles, et al.
CASE NUMBER	CV 15-01228
COURT	United States District Court
DATE FILED	March 19, 2015
COUNTY DEPARTMENT	Sheriff's Department/MTA Trust
PROPOSED SETTLEMENT AMOUNT	\$ 49,000
ATTORNEY FOR PLAINTIFF	Adam Axelrad, Esquire
COUNTY COUNSEL ATTORNEY	Edwin Lewis Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$49,000, the lawsuit filed by Terry Muhammad alleging she was unlawfully detained, searched, arrested, and incarcerated in violation of her civil rights.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$49,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 27,551
PAID COSTS, TO DATE	\$ 2,200

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Manuel Esparza v. County of Los Angeles, et al.
CASE NUMBER	CV 14-09937 JAK
COURT	United States District Court
DATE FILED	December 30, 2014
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 90,000
ATTORNEY FOR PLAINTIFF	Law Offices of Jeff Dominic Price
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$90,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Manuel Esparza arising out of a July 31, 2014 use of force incident at the Inmate Reception Center when Mr. Esparza was being released from custody.</p> <p>Defendants deny the allegations.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$90,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 28,713
PAID COSTS, TO DATE	\$ 215

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Zusser Company, Inc. v. County of Los Angeles, et al.
CASE NUMBER	BC 596634
COURT	Los Angeles Superior Court
DATE FILED	10/2/15
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 109,500
ATTORNEY FOR PLAINTIFF	Monteleone & McCrory
COUNTY COUNSEL ATTORNEY	Warren R. Wellen Principal Deputy County Counsel
NATURE OF CASE	This is a Construction - Breach of Contract lawsuit. Plaintiff seeks payment for alleged additional work on Flood Control District project.
PAID ATTORNEY FEES, TO DATE	\$ 13,290
PAID COSTS, TO DATE	\$ 31

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

MAY 2, 2016

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:31 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: Chair John Naimo, Steve Robles, and Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Edwin Lewis and Lindsay Yoshiyama; Sheriff's Department: Judy Gerhardt, Latonya Clark, Kevin Percy, Greg McKnight, Jack Eweu, and Matthew Burson; Department of Public Works: William Winter and Craig Cline.

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 addressed the Claims Board.

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

At 9:34 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(c) below.

4. Report of actions taken in Closed Session.

At 10:14 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Terry Muhammad v. County of Los Angeles, et al.
United States District Court Case No. CV 15-01228**

This lawsuit concerns allegations of excessive force, false arrest, and wrongful incarceration by Sheriff's Deputies.

Action Taken:

The Claims Board continued this item to the meeting of May 16, 2016.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

b. Non-Litigated Claim of Julio and Christina Munoz

This claim seeks compensation from the Sheriff's Department for real and personal property damage allegedly caused by chemical agents deployed in order to apprehend a suspect barricaded in Claimants' house.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$24,653.27.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

c. Non-Litigated Claim of Stanley and Rosemary Wong

This claim seeks compensation from the Department of Public Works for real and personal property damage allegedly caused from a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$82,696.78.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

5. Approval of the minutes of the April 18, 2016, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Roger Granbo

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 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 10:15 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Sandra C. Ruiz