

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, OCTOBER 19, 2015, AT 9:30 A.M.

Present: Steve Robles and Patrick Wu, 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. Kejon Kesse et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 573 250

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$60,000.

Vote: Ayes: 2 – Steve Robles and Patrick Wu
Absent: John Naimo, Chair

[See Supporting Document](#)

**b. Obie Steven Anthony, III v. County of Los Angeles, et al.
United States District Court Case No. CV 13-7224**

This lawsuit alleges the County of Los Angeles and the District Attorney's Office violated Plaintiff's civil rights by maintaining policies, practices, and customs of failing to disclose exculpatory evidence to criminal defendants and presenting fabricated evidence that resulted in Plaintiff's conviction and incarceration.
(Continued from the meeting of October 5, 2015.)

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$890,000.

Vote: Ayes: 2 – Steve Robles and Patrick Wu
Absent: John Naimo, Chair

[See Supporting Document](#)

**c. Jane Doe, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 518 005**

This lawsuit alleges negligence by the Department of Health Services for allegedly hiring and retaining a physician that sexually molested a patient at a Los Angeles County health clinic.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,300,000.

Vote: Ayes: 2 – Steve Robles and Patrick Wu
Absent: John Naimo, Chair

[See Supporting Document](#)

**d. Mohammad Taadolmaneshi v. County of Los Angeles
Los Angeles Superior Court Case No. BC 533 694**

This medical malpractice lawsuit concerns allegations that Olive View Medical Center staff negligently caused injury to a patient during a medical procedure; settlement is recommended in the amount of \$195,000, plus assumption of the Medi-Cal lien in the approximate amount of \$4,000.

Action Taken:

The Claims Board continued this item to the meeting of November 2, 2015.

Vote: Ayes: 2 – Steve Robles and Patrick Wu
Absent: John Naimo, Chair

[See Supporting Documents](#)

e. **Jesus Ruiz and Maria Ruiz v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 506 092

This medical malpractice lawsuit concerns allegations that Harbor-UCLA Medical Center staff were negligent in managing a patient's medication levels thereby causing respiratory arrest, which led to a brain injury; settlement is recommended in the amount of \$5,800,000, plus assumption of the medical liens in the approximate amount of \$480,000.

Action Taken:

The Claims Board continued this item to the meeting of November 2, 2015.

Vote: Ayes: 2 – Steve Robles and Patrick Wu
Absent: John Naimo, Chair

[See Supporting Documents](#)

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 October 5, 2015, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Steve Robles and Patrick Wu
Absent: John Naimo, Chair

[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	Kejon Kesse v. County of Los Angeles, et al.
CASE NUMBER	BC 573250
COURT	Los Angeles Superior Court
DATE FILED	February 20, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 60,000
ATTORNEY FOR PLAINTIFF	Jaaye Person-Lynn, Esquire Person-Lynn Law Office
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$60,000, the lawsuit filed by Kejon Kesse and Giovonni Nellum, against the County, Sheriff Jim McDonnell, Sergeant Marvin Jaramilla, Detectives Eric Moreno and Cary Bell, Deputies Randall Clinton, Alfredo Franco, Daniel Richards, Osvaldo Cortez, Javier Flores, Jesus Fernandez, Jaime Juarez, and Paul Carmona alleging civil rights violations, excessive use of force, assault and battery, failure to train and supervise, false arrest, and trespass to real property as a result of their arrests in front of Ms. Nellum's home on January 10, 2014.</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 \$60,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 9,521
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Obie Steven Anthony, III v. County of Los Angeles, et al.
CASE NUMBER	13-CV7224
COURT	United States District Court
DATE FILED	September 30, 2013
COUNTY DEPARTMENT	District Attorney's Office
PROPOSED SETTLEMENT AMOUNT	\$ 890,000
ATTORNEY FOR PLAINTIFF	Ronald Kaye, Esq. Kaye, McLane, Bednarski & Litt, LLP
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty
NATURE OF CASE	<p>This is a recommendation to settle for \$890,000, the lawsuit filed by Plaintiff Obie Anthony, III, against the County of Los Angeles and the District Attorney's Office for allegedly maintaining policies, practices, and customs of failing to disclose exculpatory evidence and presenting deliberately fabricated evidence that resulted in Mr. Anthony's murder conviction for which he spent 17 years in jail.</p> <p>The County denies the allegations; however, 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 \$890,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 377,124
PAID COSTS, TO DATE	\$ 57,277

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jane Doe, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC 518005
COURT	Los Angeles County Superior Court
DATE FILED	August 9, 2013
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 1,300,000
ATTORNEY FOR PLAINTIFF	Thomas Cifarelli, Esq. The Cifarelli Law Firm
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian, Senior Deputy County Counsel
NATURE OF CASE	<p>Plaintiff, Jane Doe, was a patient at one of the Los Angeles County's health clinics. She alleges that during her visits to the clinic, one of the physicians touched her inappropriately.</p> <p>The plaintiff and her husband brought a lawsuit against the physician and the County of Los Angeles. The plaintiffs contend that the County of Los Angeles was negligent in hiring and retaining that physician.</p>
PAID ATTORNEY FEES, TO DATE	\$ 276,844
PAID COSTS, TO DATE	\$ 27,171

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Mohammad Taadolmaneshi v. County of Los Angeles
CASE NUMBER	BC 533694
COURT	Los Angeles County Superior Court
DATE FILED	January 22, 2013
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 195,000 plus the County's assumption of the Medi-Cal lien in the approximate amount of \$4,000.
ATTORNEY FOR PLAINTIFF	Bruce Bunch, Esq. Law Offices of Bruce Bunch
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>On January 22, 2013, Mohammad Taadolmaneshi, a 28-year-old male, underwent a cardiac procedure at Olive View Medical Center ("OVMC").</p> <p>During the procedure, a vascular injury occurred. The injury was later identified and treated.</p> <p>Mr. Taadolmaneshi brought a medical malpractice action against the County of Los Angeles alleging that the OVMC staff performed the cardiac procedure negligently.</p>
PAID ATTORNEY FEES, TO DATE	\$ 60,171.00
PAID COSTS, TO DATE	\$ 23,130.00

Case Name: Taadolmaneshi, Mohammad #4593



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 22, 2013
Briefly provide a description of the incident/event:	<p>On January 22, 2013, Mohammad Taadolmaneshi, a 28 year old male, underwent a cardiac procedure at Olive View Medical Center ("OVMC").</p> <p>During the procedure, a vascular injury occurred. The injury was later identified and treated.</p> <p>Mr. Taadolmaneshi brought a medical malpractice action against the County of Los Angeles alleging that the OVMC staff performed the cardiac procedure negligently.</p>

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

Vascular injury to the coronary artery resulting in cardiac muscle damage.


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

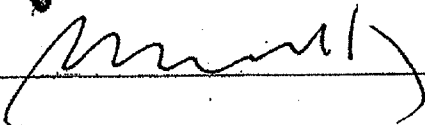
- OVMC Cardiology physician staff were provided instruction related to EKG orders.
- The OVMC post-cardiac catheterization procedure orders were modified with respect to vital signs routine and physician notification.
- The changes made by OVMC were referred to the DHS Cardiology-Specialty Workgroup for consideration of adoption within the ORCHID system.

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.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) ARUN R. PATEL, MD	
Signature: 	Date: 7/29/15

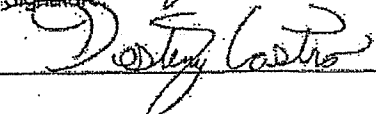
Name: (Department Head) Mitchell Katz	
Signature: 	Date: 8/29/15

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: 	Date: 7/31/2015

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jesus Ruiz and Maria Ruiz v. County of Los Angeles
CASE NUMBER	BC 506092
COURT	Los Angeles Superior Court - Central District
DATE FILED	May 2, 2013
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 5,800,000, plus the County's assumption of the Medi-Cal lien
ATTORNEY FOR PLAINTIFF	Philip Michels, Esq. Law Offices of Michels & Lew
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian, Senior Deputy County Counsel
NATURE OF CASE	<p>On August 8, 2012, Jesus Ruiz, a 36-year-old male, underwent a surgical procedure at Harbor-UCLA Medical Center ("HUMC"). After the procedure, Mr. Ruiz received pain medications. Later Mr. Ruiz experienced a respiratory arrest and, as a result, suffered neurological injuries.</p> <p>Mr. Ruiz filed a medical malpractice action against the County of Los Angeles arguing that the HUMC staff were negligent in managing his medication levels thereby causing the respiratory arrest which led to his brain injury. Maria Ruiz, Mr. Ruiz's wife, also brought an action for Loss of Consortium.</p>
PAID ATTORNEY FEES, TO DATE	\$ 90,860.00
PAID COSTS, TO DATE	\$ 82,480.00

Case Name: Ruiz, Jesus #3991



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:	August 8, 2012
Briefly provide a description of the incident/event:	<p>On August 8, 2012, Jesus Ruiz, a 36 year old male, underwent a surgical procedure at Harbor UCLA Medical Center ("HUMC"). After the procedure, Mr. Ruiz received pain medications. Later Mr. Ruiz experienced a respiratory arrest and as a result suffered neurological injuries.</p> <p>Mr. Ruiz filed a medical malpractice action against the County of Los Angeles arguing that the HUMC staff was negligent in managing his medication levels thereby causing the respiratory arrest which led to his brain injury. Maria Ruiz, Mr. Ruiz' wife, also brought an action for loss of consortium.</p>

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

Respiratory arrest resulting in permanent brain damage.

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

- All appropriate personnel actions were taken.
- Harbor-UCLA revised their patient controlled anesthesia (PCA) policy and educated nursing staff on the changes.
- Harbor-UCLA placed signage on PCA pumps and above the patient's bed reiterating that the PCA pump is for patient use only.
- DHS Patient Safety created a standardized educational brochure in multiple languages for patients and their families about PCA medication administration.
- DHS Pharmacy Affairs created medication guidelines that was shared with all DHS facilities related to equianalgesic opiate medication dosing.
- DHS Patient Safety updated a continuing education module available to any DHS staff member related to safe medication administration, including the use of PCA.
- DHS incorporated warnings in the electronic patient record regarding the concurrent ordering of pain medications.
- DHS Patient Safety confirmed the purchase of standardized educational materials for patients and their families in the electronic medical record related to PCA use.
- DHS is evaluating the purchase of PCA pumps that have automatic stop functions when respiratory status may be compromised.

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.

Name: (Risk Management Coordinator) <i>Arun R. Patel, M.D., JD</i>	
Signature: <i>AMR</i>	Date: <i>6/4/15</i>

Name: (Department Head) <i>Michelle Katz</i>	
Signature: <i>[Signature]</i>	Date: <i>8/28/15</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) <i>Destiny Castro</i>	
Signature: <i>Destiny Castro</i>	Date: <i>6/4/2015</i>

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

OCTOBER 5, 2015

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 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 Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Liliana Campos, Richard Kudo, Rosemarie Belda, Julie Dixon Silva, Joyce Aiello, and Eduardo Montelongo; Department of Public Works: Craig Cline and Marty Moreno; Office of the Public Defender: Michael Suzuki; Office of the District Attorney: John K. Spillane; Department of Health Services: Ed Soto and Karen White; and Outside Counsel: Brian Hershman, George Peterson, and Diana Ratcliff.

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 9:43 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(f) below.

4. Report of actions taken in Closed Session.

At 11:30 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Claim of Christopher P. Sweasey and Dawn M. Sweasey in their individual capacities and as trustees to the Christopher P. and Dawn M. Sweasey Revocable Trust

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 settlement of this matter in the amount of \$61,084.87.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

b. **Darryl Takahashi, et al. v. County of Los Angeles, et al.**
MTA v. County of Los Angeles (Complaint in Intervention)
Los Angeles Superior Court Case No. BC 486 931

This lawsuit concerns the complaint in intervention filed by the Los Angeles County Metropolitan Transportation Authority (MTA) for reimbursement of workers' compensation benefits to one of its employees who was involved in a vehicle accident with an employee of the Los Angeles County Public Defenders' Office.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$50,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

c. **Obie Steven Anthony, III v. County of Los Angeles, et al.**
United States District Court Case No. CV 13-7224

This lawsuit alleges the County of Los Angeles and the District Attorney's Office violated Plaintiff's civil rights by maintaining policies, practices, and customs of failing to disclose exculpatory evidence to criminal defendants and presenting fabricated evidence that resulted in Plaintiff's conviction and incarceration; settlement is recommended in the amount of \$890,000.

Action Taken:

The Claims Board continued this item to October 19, 2015.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

d. **Steven J. Ipsen v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 551 594

This lawsuit alleges retaliation, wrongful termination and breach of contract by the Los Angeles County District Attorney's Office.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

e. **Niesha Kinard v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 549 941

This lawsuit concerns allegations of retaliation resulting in the wrongful discharge of a relief nurse by the Department of Health Services.

Action Taken:

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

Vote: Ayes: 2 – John Naimo and Steve Robles
Abstention: 1 – Patrick Wu

f. **Richard Garberg v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 518 104

This lawsuit concerns allegations by a contract employee for the Department of Health Services for disability discrimination, retaliation, failure to accommodate and failure to engage in the interactive process.
(Continued from the meeting of September 21, 2015.)

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$48,000.

Vote: Ayes: 2 – John Naimo and Steve Robles
Abstention: 1 – Patrick Wu

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 September 21, 2015, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

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.