

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, AUGUST 3, 2015, AT 9:30 A.M.

Present: Chair John Naimo, Steve Robles, and Patrick Wu

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. Michael Rabinovitz, et al. v. County of Los Angeles, et al
United States District Court Case No. CV 13-04823

This lawsuit alleges the wrongful detention of a child by the Department of Children and Family Services ("Department") and alleges that employees of the Department made false statements which prolonged the separation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$400,000.

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

[See Supporting Documents](#)

- b. Enrique Freeman v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 498 659

This lawsuit concerns allegations that an employee of the Public Library Department was subjected to disability discrimination and that the Department failed to engage in the interactive process or provide a reasonable accommodation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.

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

- c. Juan Macias v. County of Los Angeles
Los Angeles Superior Court Case No. BC 477 890

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an on-duty Sheriff's Deputy.

Action Taken:

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

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

[See Supporting Document](#)

- d. Phyllis Losorelli and Joe Losorelli v. County of Los Angeles
United States District Court Case No. CV 14-05062

This lawsuit alleges that the Department of Mental Health and the Sheriff's Department failed to undertake measures to prevent an inmate's suicide.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,600,000.

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

[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 July 6, 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

[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	Michael Rabinovitz, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV1304823
COURT	United States Central District Court
DATE FILED	October 16, 2013
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 400,000
ATTORNEY FOR PLAINTIFF	Donnie Cox Law Office of Donnie Cox
COUNTY COUNSEL ATTORNEY	Lauren Black Principal Deputy County Counsel
	David J. Weiss Law Offices of David J. Weiss
NATURE OF CASE	Warrantless Detention
PAID ATTORNEY FEES, TO DATE	\$ 84,382
PAID COSTS, TO DATE	\$ 10,288

Case Name: Rabinovitz vs. County of Los Angeles



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:	July 5, 2012
Briefly provide a description of the incident/event:	The plaintiffs allege their civil rights were violated when the Department removed the minor from her father's custody on July 5, 2012.

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

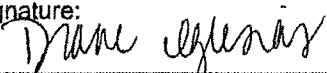
The plaintiffs allege their civil rights were violated when the Department removed a child from her father's custody on July 5, 2012, without a warrant after he was detained by the LAPD for illicit drug use and child endangerment.

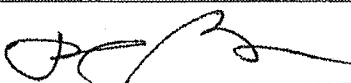
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Department had relevant policies and procedures in effect at the time of the incident and continues to ensure that its protocols complement the current state of the law and assist its workforce to provide appropriate and legally-sufficient child welfare services.

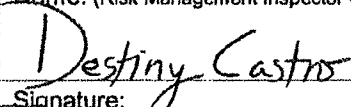
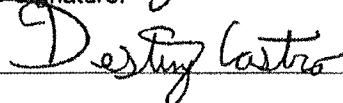
3. Are the corrective actions addressing department-wide system issues?

- ✓ 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: 	Date: 7/7/16

Name: (Department Head)	
PHILIP L. BROWNING, DIRECTOR	
Signature: 	Date: 7-20-15

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)	
	
Signature: 	Date: 6/17/2015

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Juan Macias v. County of Los Angeles, et al.
CASE NUMBER	BC477890
COURT	Los Angeles County Superior Court
DATE FILED	January 30, 2012
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 60,000
ATTORNEY FOR PLAINTIFF	Michael A. Kahn
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on November 8, 2012, on East Florence Avenue at the railroad crossing just west of Graham Avenue, in Los Angeles, when plaintiff Juan Macias collided with a vehicle driven by a Sheriff's Deputy. Mr. Macias claims injuries as a result of 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	\$ 85,266
PAID COSTS, TO DATE	\$ 67,258

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Phyllis Losorelli, et al. v. County of Los Angeles
CASE NUMBER	2:14-CV 14-05062-R-SH
COURT	United States District Court - Central District
DATE FILED	June 30, 2014
COUNTY DEPARTMENT	Department of Mental Health and Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$1,600,000
ATTORNEY FOR PLAINTIFF	Ronald O. Kaye, Esq. KAYE, McLANE, BEDNARSKI & LITT, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>On September 18, 2013, Austin Losorelli was arrested and was brought under the custody of the Los Angeles County Sheriff's Department. During his incarceration, he was evaluated by the Department of Mental Health personnel.</p> <p>On September 30, 2013, Austin Losorelli committed suicide in his jail cell. Mr. Losorelli's parents filed a federal civil right violation against the County of Los Angeles and some of the Los Angeles County personnel contending that the County of Los Angeles failed to undertake measures to prevent Austin Losorelli from committing suicide.</p>
PAID ATTORNEY FEES, TO DATE	\$52,709
PAID COSTS, TO DATE	\$0

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

JULY 6, 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: Edward Hsu, Brian Chu, Diana Taing, Eduardo Montelongo and Rosemarie Belda; Sheriff's Department: Lt. Patrick Hunter and Sgt. Pauline Panis; Department of Parks and Recreation: David Waage, Anush Gambaryan, and Donald Limbrick; Department of Public Works: Jim Sparks; and the Department of Health Services: Karen White.

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 9:31 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(e) below.

4. Report of actions taken in Closed Session.

At 10:55 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

- a. Christopher Gray v. County of Los Angeles, et al.
United States District Court Case No. CV 13-07597

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

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$549,000.

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

- b. Gerardo Rodriguez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. PC 054 589

This lawsuit arises from alleged injuries sustained when an employee of the Department of Parks and Recreation ran over Plaintiff while driving a Department utility truck.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$375,000.

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

- c. Tony Tajalli v. County of Los Angeles
Los Angeles Superior Court Case No. BC 382 596

This lawsuit concerns allegations that an employee of the Department of Public Works was subjected to retaliation, harassment, and discrimination based on age, national origin, and disability.

Action Taken:

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

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

- d. Silve Rodriguez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 504 543

This lawsuit alleges a breach of contract by an employee of the Department of Health Services.

Action Taken:

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

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

- e. Umar Afridi v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 522 542

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$70,000.

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

5. **Approval of the minutes of the June 15, 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.**

The meeting was adjourned at 11:00 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson