



COUNTY OF LOS ANGELES

CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Oscar Valdez
Office of the Auditor-Controller
Steve Robles
Chief Executive Office
Adrienne M. Byers
Office of the County Counsel

NOTICE OF MEETING AND AGENDA

The Los Angeles County Claims Board will hold a regular meeting on **Monday, May 1, 2023, at 9:30 a.m.**, at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Sixth Floor, Conference Room C, Los Angeles, California 90012. Members of the public who would like to listen to the open session of the meeting or would like to provide public comment may call (323) 776-6996, then enter ID 474 833 022# at 9:30 a.m. on May 1, 2023.

Reports of actions taken in Closed Session. The Los Angeles County Claims Board will report actions taken on any Closed Session Items on Monday, May 1, 2023, at approximately 11:20 a.m. Members of the public who would like to hear reportable actions taken on any Closed Session items may call (323) 776-6996, then enter ID 474 833 022# at 11:15 a.m. on May 1, 2023. Please note that these are approximate start times and there may be a short delay before the Closed Session is concluded and the actions can be reported.

TO PROVIDE PUBLIC COMMENT:

You may submit written public comments by e-mail to claimsboard@counsel.lacounty.gov or by mail to: Attention: Los Angeles County Claims Board, Executive Office, County Counsel, 500 W. Temple St., Los Angeles, CA, 90012.

Written public comment or documentation must be submitted no later than 12 p.m. on Friday, April 28, 2023. Please include the Agenda item and meeting date in your correspondence. Comments and any other written submissions will become part of the official record of the meeting.

If you wish to address the Los Angeles County Claims Board in person, you may come to the Kenneth Hahn Hall of Administration, 500 West Temple St., Los Angeles, California, 90012, and enter on the Second Floor. Please advise the security guard station personnel that you would like to attend the public portion of the Claims Board meeting and a security guard will escort you to the Sixth Floor where you will be assisted.

PUBLIC COMMENT: This is a reminder that public comment is limited to the specific items on the agenda and general public comment is limited to subject matters within the jurisdiction of the Claims Board.

SUPPORTING DOCUMENTATION: The Agenda and any supporting documents will be posted at <https://lacounty.gov/newsroom/public-information/los-angeles-county-claims-board/> and can be provided upon request. Please submit requests for supporting documents to claimsboard@counsel.lacounty.gov.

If you would like more information, please contact Claims Board Secretary Derek Stane at dstane@counsel.lacounty.gov or Vivian Caballero at vcaballero@counsel.lacounty.gov.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject-matter jurisdiction of the Claims Board.
3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision [a] of Government Code Section 54956.9).
 - a. Non-Litigated Claim of Reginaldo Guzman-Serrato

This claim against the Department of Health Services alleges medical malpractice for injuries claimant suffered during a surgical procedure at High Desert Regional Health Center; settlement is recommended in the amount of \$250,000.

[See Supporting Documents](#)
 - b. Minako America Corporation dba Minco Construction v. County of Los Angeles
Riverside County Superior Court Case No. RIC1816838

This lawsuit against the Department of Public Works alleges breach of contract involving a construction project in unincorporated Marina Del Rey; settlement is recommended in the amount of \$4,080,170.

[See Supporting Document](#)
 - c. Deidre Lynette Ross v. County of Los Angeles
Los Angeles Superior Court Case No. 21STCV11204

This dangerous condition lawsuit against the Department of Public Works alleges plaintiff suffered injuries after falling over an open utility box; settlement is recommended in the amount of \$70,000.

[See Supporting Document](#)
 - d. Erlinda Martinez Marquez, et al. v. Salvador Esquivel, Jr., et al.
Los Angeles Superior Court Case Number 20STCV48514

This lawsuit arises from injuries plaintiff allegedly sustained in automobile accident involving a Sheriff's Department employee; settlement is recommended in the amount of \$40,000.

[See Supporting Document](#)
 - e. Jirair Agazarian v. Jenny Delgado, et al.
Los Angeles Superior Court Case Number 21STCV17130

This lawsuit arises from injuries plaintiff allegedly sustained in automobile accident involving a Department of Children and Family Services employee; settlement is recommended in the amount of \$47,500.

[See Supporting Document](#)

- f. Lorenza Ramirez vs. County of Los Angeles
Los Angeles Superior Court Case Number 20STCV098019

This dangerous condition lawsuit against the Department of Parks and Recreation alleges plaintiff suffered injuries after a tree branch fell on her at a County park; settlement is recommended in the amount of \$99,000.

[See Supporting Document](#)

- g. Claim of Carl Kemp

This claim concerns allegations that a Department of Public Health employee was subjected to race discrimination and retaliation; settlement is recommended in the amount of \$200,000.

4. Approval of the Minutes of the April 17, 2023, regular meeting of the Claims Board.

[See Supporting Document](#)

5. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Reginaldo Guzman-Serrato
CASE NUMBER	None
COURT	None
DATE FILED	None
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 262,016
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>On April 22, 2022, Reginaldo Guzman-Serrato underwent a laparoscopic procedure at High Desert Regional Health Center ("HDRHC"). The procedure caused accidental bleeding. Mr. Guzman was transported to the Antelope Valley Hospital ("AVH"), a non-County facility near HDRHC, where the bleeding was controlled. Three days later, Mr. Guzman was discharged home in stable condition.</p> <p>Upon re-examination of the case, HDRHC administration determined that the bleeding could have been avoided. The staff reached out to Mr. Guzman, explained the error, offered an apology, and confirmed that the County was willing to compensate him for his injuries.</p> <p>The County has also paid for the out-of-pocket expenses incurred by Mr. Guzman.</p>
PAID ATTORNEY FEES, TO DATE	\$ None
PAID COSTS, TO DATE	\$ None



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:	April 22, 2022
Briefly provide a description of the incident/event:	<p>Reginaldo Guzman-Serrato underwent a laparoscopic surgical procedure at High Desert Regional Health Center (HDRHC). The procedure caused accidental bleeding requiring conversion to an open surgery. The bleeding continued and it became apparent that Mr. Guzman required a higher level of care. Mr. Guzman was transported to the Antelope Valley Hospital, a non-County facility near HDRHC, where the bleeding was controlled. Four days later, Mr. Guzman was discharged home in stable condition.</p> <p>Upon re-examination of the case, HDRHC administration determined that the bleeding could have been avoided. The staff reached out to Mr. Guzman, explained the error, offered an apology, and confirmed that the County was willing to compensate him for his injuries. The County also paid for out-of-pocket expenses incurred by Mr. Guzman.</p>

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

- At the start of the procedure, the surgeon recognized that this surgery carried a higher risk of intra-operative complications.
- Certain surgical equipment useful to control bleeding had not been requested to be prepared prior to the surgery.
- Some OR Team members were not familiar with items and equipment needed to respond to the surgical complications.
- Too many staff members entered the OR when the procedure was converted from laparoscopic to open.


2. Briefly describe recommended corrective actions:

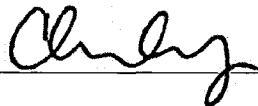
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- The surgeon was counseled regarding his decision to proceed with the surgery when he first recognized that this surgery carried a higher risk of intra-operative complications.
- The surgeon was counseled regarding the need to ensure appropriate items were prepared for these procedures.
- The involved surgeons and OR staff members attended an in-service training to ensure understanding and use of equipment that would be helpful in responding to complications in this type of surgery and were also reminded not to enter the OR unless they are called in to assist. Additionally, the Ambulatory Care Network (A.C.N.) started implementation of TeamSTEPPS intended to improve communication among A.C.N. staff members.
- Process is in place to ensure that equipment needed to address complications with this type of surgery is readily available.
- Quarterly hands-on refresher drills on set up of equipment will be conducted.

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) Arun Patel, MD, JD	
Signature: 	Date: 4/26/2023

Name: (Department Head) Christina Ghaly, MD	
Signature: 	Date: 4/27/23

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) Daniela Prowizor	
Signature: Daniela Prowizor	Date: 4/26/2023
Digitally signed by Daniela Prowizor Date: 2023.04.26 09:55:14 -07'00'	

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Minako American Corporation dba Minco Construction v. County of Los Angeles
CASE NUMBER	RIC1816838
COURT	Riverside County Superior Court
DATE FILED	April 3, 2017
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNTS	(1) \$4,080,170 to be collectively paid by the contractor and the materials supplier—which amount will be deposited with, and used by, the County to make progress payments to a new subcontractor to install a new interior pipe lining to correct the defective pipe; and (2) \$638,795 to be separately paid by the County to the contractor to resolve other contractual issues.
ATTORNEY FOR PLAINTIFF	Christopher G. Morrow SMTD Law LLP
COUNTY COUNSEL ATTORNEY	Warren R. Wellen Principal Deputy County Counsel
NATURE OF CASE	Construction dispute regarding defective pipe and contractor contractual claims in regard to a project to replace a County water main in Marina Del Rey.
PAID ATTORNEY FEES, TO DATE	\$ 306,157.96
PAID COSTS, TO DATE	\$ 209,802.44

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Deidre Lynette Ross v. County of Los Angeles
CASE NUMBER	21STCV11204
COURT	Los Angeles Superior Court
DATE FILED	3/23/21
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 70,000
ATTORNEY FOR PLAINTIFF	Larry Rabineau Law Offices of Larry Rabineau
COUNTY COUNSEL ATTORNEY	Kevin Engeliem Deputy County Counsel
NATURE OF CASE	On July 19, 2020, Ms. Ross fell when she stepped into the hole of a utility box owned and maintained by the Department of Public works. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 11,437
PAID COSTS, TO DATE	\$ 5,114

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Erlinda Martinez Marquez, et al. v. Salvador Esquivel, Jr., et al.
CASE NUMBER	20STCV48514
COURT	Los Angeles Superior Court
DATE FILED	December 18, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 40,000
ATTORNEY FOR PLAINTIFF	HELEN WON, ESQ. Pacific Sterling Law Group
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle collision that occurred on January 9, 2019, on eastbound Whittier Boulevard approaching the 4th Street intersection in the City of Montebello, when a Sheriff's Department vehicle driven by a Sheriff's Department Detective rear-ended the vehicle driven by plaintiff Erlinda Marquez. Plaintiffs Adriana Robledo Heredia and her two minor children were passengers in Ms. Marquez's car. Plaintiffs claim 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	\$ 16,845
PAID COSTS, TO DATE	\$ 7,526

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jirair Agazarian v. Jenny Delgado, et al.
CASE NUMBER	21STCV17130
COURT	Los Angeles Superior Court
DATE FILED	May 6, 2023
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 47,500
ATTORNEY FOR PLAINTIFF	MARGARIT ARUTYUNYAN, ESQ. Arutyunyan & Associates, Inc.
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle collision that occurred on November 21, 2019, in the City of Los Angeles, when a car driven by a Department of Children and Family Services employee, who was on duty, rear-ended the car driven by plaintiff Jirair Agazarian on the U.S. Interstate 101 freeway, near the Glendale Boulevard exit. 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	\$ 16,416
PAID COSTS, TO DATE	\$ 12,586

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lorenza Ramirez v. County of Los Angeles
CASE NUMBER	20STCV098019
COURT	Los Angeles Superior Court
DATE FILED	March 10, 2020
COUNTY DEPARTMENT	Department of Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 45,000
ATTORNEY FOR PLAINTIFF	Ramin Ray Kohanarieh, Esq. RK LAW GROUP APLC
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas Assistant County Counsel
NATURE OF CASE	<p>On July 8, 2018, Plaintiff Lorenza Ramirez was sitting beneath a Sycamore tree at William s. Hart Park when a tree branch fell on her. Plaintiff contends that the subject Sycamore tree was a dangerous condition that caused her to sustain injuries for which she seeks damages.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$45,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 18,111
PAID COSTS, TO DATE	\$ 4,348

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

APRIL 17, 2023

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:41 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members appearing in person and online for the teleconference meeting were: Chair Steve Robles, and Adrienne M. Byers. Oscar Valdez was absent.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Mark Lomax, Caroline Craddock, Edward Morrissey, Timothy Kral, Jessie Lee, Pouya Bavafa, and Pirjo Ranasinghe; Department of Public Works: David Gonzalez, and Christine Quirk; Sheriff's Department: Shanese Winfrey, Shawnee Hinchman, Thomas Kim, Tania Plunkett, Allen Castellano, and Jose Hernandez; Department of Health Services: Arun Patel, Roberto Avitia, Claudia Aguirre, Brad Spellburg; Sean Henderson; Department of Children and Family Services: Christina Lee; Outside Counsel: .

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 appeared in person or 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(f).

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 11:21 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. Non-Litigated Claim of Hailey K. Sholty

This claim alleges property damages caused by the release of storm water by the Department of Public Works; settlement is recommended in the amount of \$29,376.30.

Action Taken:

The Claims Board approved settlement of Item 4.a. in the amount of \$29,376.30.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**b. Jacqueline Cothran, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:21-cv-02882**

This lawsuit alleges federal civil rights violations and deliberate indifference by Sheriff's Department jail staff for the death of an inmate at Men's Central Jail.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.b. in the amount of \$400,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**c. Paul Chirico v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV00149**

This federal civil rights lawsuit alleges excessive force against Sheriff's Department staff at Men's Central Jail.

Action Taken:

The Claims Board approved settlement of Item 4.c. in the amount of \$35,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**d. Jane Doe V.L. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV47892**

This lawsuit alleges negligence against the Department of Children and Family Services for injuries plaintiff suffered while in foster care.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.d. in the amount of \$600,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**e. Pamela Mejia v. County of Los Angeles
Los Angeles Superior Court Case No. 20STCV088**

This lawsuit concerns allegations that a Department of Children and Family Services employee was subjected to failure to accommodate and failure to engage in the interactive process.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.e. in the amount of \$130,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

**f. Yvonne Santos v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV03494**

This lawsuit concerns allegations that a Sheriff's Department employee was subjected to sexual harassment and retaliation.

Action Taken:

The Claims Board approved settlement of Item 4.f. in the amount of \$99,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

5. Approval of the Minutes of the April 3, 2023, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes of the April 3, 2023, regular meeting.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers
Absent: 1 – Oscar Valdez

6. Adjournment.

The meeting was adjourned at 11:23 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By *Derek Stane*
Derek Stane
Claims Board Secretary