

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN PERSON AND ONLINE VIA VIDEO CONFERENCE
ON MONDAY, APRIL 15, 2024, AT 9:30 A.M.

Present: Chair Destiny Castro, Oscar Valdez, 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 phone line to address the Claims Board.

3. **Closed Session – Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)).**

- a. **Bern J. Galvin v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV37153**

This dangerous condition lawsuit arises from injuries allegedly sustained in a rollerblading accident on the Los Angeles River Bikeway.

Action Taken:

The Claims Board continued Item 3.a. to a future meeting.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

- b. **Vicki Dyson v. County of Los Angeles
Los Angeles Superior Court Case No. 22STCV09027**

This lawsuit contends that the Department of Public Works failed to adequately design or maintain County roads surrounding Plaintiff's hillside property resulting in excess water overflow and property damage.

Action Taken:

The Claims Board approved settlement of Item 3.b. in the amount of \$98,500.

Vote: Ayes: 2 – Adrienne M. Byers, and Destiny Castro
Noes: 1 – Oscar Valdez

[See Supporting Document](#)

c. **Edith R. Perez, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 21STCV44371

This lawsuit involves allegations that medical malpractice by Olive View-UCLA Medical Center contributed to the death of Mr. Perez.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.c. in the amount of \$175,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Documents](#)

d. **Alfredo Hinojosa v. County of Los Angeles**
Los Angeles Superior Court Case No. 22STCV07718

This medical malpractice lawsuit against Harbor-UCLA Medical Center involves allegations that negligence resulted in injury to Plaintiff.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.d. in the amount of \$250,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Documents](#)

e. **Non-Litigated Claim of PCC Technologies Inc. d/b/a Civix**

This claim against the County of Los Angeles alleges breach of contract and failure to pay for software and related costs.

Action Taken:

The Claims Board approved settlement of Item 3.e. in the amount of \$64,500.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Noes: 1 – Adrienne M. Byers

[See Supporting Document](#)

f. **Non-litigated Claims of American Family Connect ASO Ismael Carbajal and Tesla Insurance Company ASO Earl Anthony Hibbert**

These claims arise from property damage allegedly sustained in an automobile accident involving a Fire Department employee.

Action Taken:

The Claims Board continued Item 3.f. to a future meeting.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

g. **Elyse Salend v. County of Los Angeles
Los Angeles Superior Court Case No. 22SMCV02459**

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Fire Department ambulance.

Action Taken:

The Claims Board approved settlement of Item 3.g. in the amount of \$50,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

h. **Latrice McGhee, et al. v. Robin Younger Holms, et al.
Los Angeles Superior Court Case No. 20AVCV00753**

This lawsuit arises from alleged injuries sustained by Plaintiffs in a multiple-automobile collision involving an employee of the Department of Children and Family Services.

Action Taken:

The Claims Board approved settlement of Item 3.h. in the amount of \$45,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

i. **Juan Roman Alcantara Diaz, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV38695

This lawsuit arises from alleged injuries sustained by Plaintiffs in an automobile accident involving a Sheriff's patrol vehicle driven by a deputy sheriff.

Action Taken:

The Claims Board approved settlement of Item 3.i. in the amount of \$36,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

j. **Non-Litigated Claims of Thy Um, Dara Mao, and Farmers Ins. Exchange ASO**
Thy Um

These claims relate to allegations of personal injuries and property damage sustained in an automobile accident involving an on-duty Sheriff's Commander.

Action Taken:

The Claims Board approved settlement of Item 3.j. in the amount of \$68,544.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

k. **Albino Villegas-Ayala v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 21STCV41723

This lawsuit arises from injuries allegedly sustained in a vehicle accident involving a Sheriff's Department detective.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3.k. in the amount of \$285,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Documents](#)

l. **Larry Waldie v. County of Los Angeles**
Los Angeles Superior Court Case No. 20STCV24195

This matter concerns a waiver of costs in exchange for the dismissal of an appeal relating to a trial involving the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of Item 3.l. in the amount of \$37,677.72.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

m. **Candace Cooper v. County of Los Angeles**
Los Angeles Superior Court Case No. 22STCV32534

This lawsuit concerns allegations that an employee of the District Attorney's Office was subjected to discrimination, hostile work environment, and retaliation.

Action Taken:

The Claims Board approved settlement of Item 3.m. in the amount of \$40,000.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Noes: 1 – Adrienne M. Byers

4. **Approval of the Minutes for the March 18, 2024, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the March 18, 2024, meeting.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Abstention: 1 – Destiny Castro

[See Supporting Document](#)

5. **Approval of the Minutes for the April 1, 2024, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the April 1, 2024, meeting.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Abstention: 1 – 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	Galvin, Bern J. vs. County of Los Angeles, et al.
CASE NUMBER	21STCV37153
COURT	Los Angeles Superior Court
DATE FILED	October 7, 2021
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Victor L. George, Esq.
COUNTY COUNSEL ATTORNEY	SANJAY A. ATHALYE Deputy County Counsel
NATURE OF CASE	On September 29, 2020, plaintiff Bern Galvin was injured when he fell while rollerblading on the Los Angeles River Bikeway ("Bike Path") located on the eastside of the Los Angeles riverbed just south of the Pacific Coast Highway underpass in the City of Long Beach. Plaintiff alleges that a County truck parked just south of the underpass, partially on the Bike Path and the Bike Path shoulder, represented a dangerous condition of public property. 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	\$ 124,791
PAID COSTS, TO DATE	\$ 12,266

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Dyson, Vicki v. County of Los Angeles
CASE NUMBER	22STCV09027
COURT	Los Angeles Superior Court
DATE FILED	March 14, 2022
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 98,500
ATTORNEY FOR PLAINTIFF	Jason T. Riddick, Esq.
COUNTY COUNSEL ATTORNEY	Warren Wellen Principal Deputy County Counsel Jonathan Brazile Deputy County Counsel
NATURE OF CASE	Vicki Dyson ("Plaintiff") alleges the County failed to adequately design or maintain roads and other infrastructure surrounding her hillside property located in unincorporated Malibu, California. Plaintiff contends that following the 2018 Woolsey Fire, those roads and other infrastructure failed to prevent excess water runoff, allowing water to overflow onto her property causing damage. Plaintiff alleges causes of action for trespass, nuisance, failure to discharge a mandatory duty, inverse condemnation, negligence, and declaratory relief.
PAID ATTORNEY FEES, TO DATE	\$ 69,983.07
PAID COSTS, TO DATE	\$ 11,961.71

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Edith Perez, et al. vs. County of Los Angeles
CASE NUMBER	21STCV44371
COURT	Los Angeles Superior Court
DATE FILED	December 6, 2021
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 175,000
ATTORNEY FOR PLAINTIFF	Gerald L. Marcus Law Offices of Gerald L. Marcus
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>On December 2, 2020, Martin De Jesus Perez, a 55-year-old male, was brought to Olive View-UCLA Medical Center. Due to an administrative error, on December 3, 2020, Mr. Perez received an incorrect medication.</p> <p>Mr. Perez's surviving family filed a wrongful death lawsuit against the County of Los Angeles.</p>
PAID ATTORNEY FEES, TO DATE	\$ 23,473
PAID COSTS, TO DATE	\$ 5,723



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for 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:	December 3, 2020
Briefly provide a description of the incident/event:	On December 2, 2020, M.D.J.P., a 55-year-old male, was brought to Olive View-UCLA Medical Center. Due to an administrative error, on December 3, 2020, Mr. Perez received an incorrect medication.

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

Medication error resulting from the mis-identification of a patient.

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 including education and counseling of staff involved
- A new policy was developed related to the components required for patient identification
- The hospital policy related to patient registration in emergent situations was revised
- Education of staff was completed regarding the above policy changes and medical protocols to be utilized in similar situations
- Policies related to identification of patients needing emergent care were updated.
- The Department provides initial and ongoing training for staff related to accurate patient identification.

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 Patel, MD, JD	
Signature: 	Date: 3/14/24

Name: (Department Head) Christina Ghaly, MD	
Signature: 	Date: 3/14/2024

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: 3/14/2024

Digitally signed by Daniela Prowizor
Date: 2024.03.14 09:11:01 -07'00'

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Alfredo Hinojosa v. County of Los Angeles
CASE NUMBER	22STCV07718
COURT	Los Angeles Superior Court
DATE FILED	March 3, 2022
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	Steven D. Fondiler Law Offices of Steven D. Fondiler
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>On June 20, 2021, Alfredo Hinojosa, a 26-year-old male, presented to Harbor-UCLA Medical Center's ("HUMC") emergency room after a fall from an off-road vehicle.</p> <p>To explore and rule out injury to his internal organs, staff ordered a computed tomography ("CT") scan with contrast. During the procedure, the contrast leaked out of the blood circulation and caused injury to Mr. Hinojosa's right hand.</p> <p>Mr. Hinojosa filed a lawsuit for medical malpractice alleging HUMC staff were negligent when performing the CT scan imaging study.</p>
PAID ATTORNEY FEES, TO DATE	\$ 38,621
PAID COSTS, TO DATE	\$ 9,284



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for 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 20, 2021
Briefly provide a description of the incident/event:	On June 20, 2021, a 26-year-old male presented to Harbor-UCLA Medical Center's ("HUMC") emergency room after a fall from an off-road vehicle. To explore and rule out injury to his internal organs, staff ordered a computed tomography ("CT") scan with contrast. During the procedure, the contrast leaked out of the blood circulation and caused injury (compartment syndrome) to his right hand.

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

- Incomplete documentation of contrast extravasation while completing the CT exam.
- Lack of standardized system for Fast Track NP on swing shift to sign out to on-duty Resident or Attending.
- Failure to document findings from final re-exam prior to Mr. Hinojosa's discharge from the ED.
- Lack of escalation by ED Attending and Resident when there were delays in reaching plastic surgery.
- Failure to recognize developing compartment syndrome by ED Attendings and Residents.
- Failure of the on-call Intern to respond to initial page to the Plastic Surgery Service.

2. Briefly describe recommended corrective actions:


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

- Providers actions were examined using the Just Culture algorithm. Appropriate corrective actions were taken based on the Just Culture assessment.
- A standardized system for Fast Track NP on swing shift to sign out to on-duty Resident and Attending was established and communicated to ED Attendings, Residents, and NPs.
- All ED Attendings were reminded about the importance of escalating concerns through early contact with specialty service attending when there are delays in reaching on-call residents.
- The case was discussed in the Morbidity and Mortality Conference and the Emergency Department Quality Improvement meeting so that other providers are able to benefit from this learning opportunity.


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: 1/25/24

Name: (Department Head) Christina Ghaly, MD	
Signature: 	Date: 1/29/2024

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-Lacayo	
Signature: 	Date: 3/18/2024

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	PCC Technologies Inc. Claim for Breach of Contract
CASE NUMBER	N/A
COURT	N/A
DATE FILED	December 2022
COUNTY DEPARTMENT	Registrar Recorder/County Clerk
PROPOSED SETTLEMENT AMOUNT	\$ 64,500
ATTORNEY FOR PLAINTIFF	Brittany Leonard, Esq.
COUNTY COUNSEL ATTORNEY	Michael Owens, Government Services Division
NATURE OF CASE	This is a recommendation to settle PCC Technologies Inc.', d/b/a Civix, ("Civix") claim against the County of Los Angeles for \$64,500 inclusive of all attorneys' fees and costs. Civix alleges that the County breached its contract and failed to pay Civix \$98,325 for externally hosted web-based Campaign Finance and Proposition B Electronic Filing Solution and its hosting costs.
PAID ATTORNEY FEES, TO DATE	\$ -
PAID COSTS, TO DATE	\$ -

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated Claims of American Family Connect ASO Ismael Carbajal and Tesla Insurance Company ASO Earl Anthony Hibbert
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 46,655.88 - American Family Connect ASO Ismael Carbajal-\$10,498.45; Tesla Insurance Company ASO Earl Anthony Hibbert-\$36,157.43
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Edwin A. Lewis Principal Deputy County Counsel
NATURE OF CASE	This is a subrogation claim on behalf of American Family Connect ASO Ismael Carbajal and Tesla Insurance Company ASO Earl Anthony Hibbert for moneys paid to their insureds for damage resulting from a tire coming off of a County vehicle and striking their insureds' car. Due to the risks and uncertainties of litigation, a settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0.00
PAID COSTS, TO DATE	\$ 0.00

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Elyse Salend vs County of Los Angeles, et al.
CASE NUMBER	22SMCV02459
COURT	Los Angeles Superior Court
DATE FILED	11/28/2022
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Kenneth G. Ruttenberg, Esq. The Ruttenberg Law Firm
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Senior Deputy County Counsel
NATURE OF CASE	<p>On June 4, 2022, a vehicle in which Plaintiff Elyse Salend was a passenger and a Fire Department ambulance collided in the intersection of Doheny Drive, Melrose Avenue, and Santa Monica Boulevard in the City of Beverly Hills. Plaintiff alleges the collision caused injuries for which she seeks compensation.</p> <p>Given the risk and uncertainties of litigation, a full and final settlement of the case in the amount of \$50,000 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 24,073
PAID COSTS, TO DATE	\$ 4,385

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	McGhee, Latrice, et al. vs. Holms, Robin Younger, et al.
CASE NUMBER	20AVCV00753
COURT	Los Angeles Superior Court
DATE FILED	November 10, 2020
COUNTY DEPARTMENT	Department of Childen and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 45,000
ATTORNEY FOR PLAINTIFF	Gerald L. Marcus Law Offices of Gerald L. Marcus
COUNTY COUNSEL ATTORNEY	MELISSA A. McCAVERTY Deputy County Counsel JESSICA J. MEAD, ESQ. Collins + Collins, LLP
NATURE OF CASE	This multiple automobile collision occurred on October 29, 2019, when a County Department of Children and Family Services employee rear-ended the vehicle in front of her, resulting in a chain reaction accident with Plaintiffs and other drivers. Plaintiffs claim to have suffered injuries and damages from the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted
PAID ATTORNEY FEES, TO DATE	\$ 83,636
PAID COSTS, TO DATE	\$ 18,926

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Juan Roman Alcantara Diaz, et al. vs. County of Los Angeles, et al.
CASE NUMBER	20STCV38695
COURT	Los Angeles Superior Court
DATE FILED	October 8, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 36,000
ATTORNEY FOR PLAINTIFF	SHAUN BAUMAN, ESQ. Bauman Law APLC
COUNTY COUNSEL ATTORNEY	MELISSA A. McCAVERTY Deputy County Counsel GARY A. BACIO, ESQ. Gary Bacio & Associates
NATURE OF CASE	This case involves a vehicle collision between a Los Angeles Sheriff's Department patrol vehicle and a Honda Civic, driven by Plaintiff Juan Roman Alcantara Diaz, that occurred on December 7, 2019, in Long Beach Boulevard and Pluma Street, in the City of Lynwood. Plaintiffs claim to have suffered injuries and damages from the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 5,607
PAID COSTS, TO DATE	\$ 44

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Thy Um, Dara Mao, and Farmers Insurance Exchange ASO Thy Um
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	SHERIFF
PROPOSED SETTLEMENT AMOUNT	\$ 68,544
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	This claim involves personal injuries and property damage sustained when a Sheriff's vehicle collided with the claimants' vehicle. Due to the risks and uncertainties of litigation, a full and final settlement of the matter is warranted.
PAID ATTORNEY FEES, TO DATE	\$ -0-
PAID COSTS, TO DATE	\$ -0-

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Albino Villegas-Ayala vs. County of Los Angeles, et al.
CASE NUMBER	21STCV41723
COURT	Los Angeles Superior Court
DATE FILED	November 12, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 285,000
ATTORNEY FOR PLAINTIFF	Scott Spell, Esq. Law Offices of Scott Spell
COUNTY COUNSEL ATTORNEY	Patrick E. Stockalper, Esq. Kjar, McKenna, & Stockalper, LLP Kevin Engeliem Senior Deputy County Counsel
NATURE OF CASE	This incident occurred on October 7, 2020, northbound on the 71 Freeway, in the city of Pomona, when LASD's patrol unit collided with Mr. Villegas-Ayala's vehicle. Mr. Villegas-Ayala alleges he sustained injuries as a result of the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$285,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 31,606
PAID COSTS, TO DATE	\$ 9,088



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:	October 7, 2020, approximately 4:50 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-106</p> <p>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>The following is a synopsis obtained from the Trial Counsel Report, Narrative Supplemental Report and SH-R-257 (Supervisor's Report of incident or Damage to County Vehicle or Permittee's Vehicle).</p> <p>On October 7, 2020, at approximately 4:45 a.m., a Los Angeles County Deputy Sheriff, assigned to Narcotics Bureau was driving his assigned, unmarked undercover vehicle northbound on Highway 71, approaching the 57 Freeway, when he was involved in a traffic collision.</p> <p>While driving at approximately 65 miles per hour, about to transition onto the northbound 57 Freeway, traffic suddenly stopped. The Deputy Sheriff applied his brakes and slowed his vehicle to approximately 35 miles per hour, but he was unable to stop his vehicle. He subsequently rear-ended the plaintiff's vehicle. The force from the collision caused the plaintiff's vehicle to collide with the rear end of another vehicle, which was also stopped in northbound traffic on Highway 71.</p> <p>A California Highway Patrol Officer responded to the collision and conducted a traffic collision investigation.</p> <p>The Deputy Sheriff notified an LASD Sheriff's supervisor and advised he was involved in a traffic collision. The supervisor responded to the collision location and authored Supervisor's Report of Incident or Damage to County Vehicle investigation.</p> <p>The Deputy Sheriff was able to drive his vehicle off the freeway with the assistance of California Highway Patrol.</p> <p>Following the traffic collision, the Plaintiff complained of pain to his back, right rib cage area, chest, shoulders, and left arm.</p> <p>The Plaintiff's vehicle was towed off the freeway.</p> <p>The Los Angeles County Fire Department responded to the location and rendered aid.</p> <p>The Deputy Sheriff sustained injuries related to the traffic collision.</p>

	<p>The Plaintiff was transported to the hospital for additional medical treatment.</p> <p>The Third Driver did not sustain any injuries in the traffic collision. The CHP Officer determined the Deputy Sheriff was the primary cause of the traffic collision, in violation of California Vehicle Code Section 22350.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was the deputy sheriff was driving at an unsafe speed in violation of 22350, California Vehicle Code.

A **Department** root cause of this incident is the deputy sheriff failed to stop his vehicle before colliding into the back of the Plaintiff's vehicle, which caused the Plaintiff's vehicle to collide into another vehicle.

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

Traffic Collision Investigation

This incident was investigated by an officer from the California Highway Patrol.

The collision investigation concluded the Deputy Sheriff caused the collision by driving at an unsafe speed, in violation of California Vehicle Code section - 22350 (**Exhibit A**).

Administrative Investigation

This incident was investigated by representatives at Narcotics Bureau to determine if any administrative misconduct occurred before, during, or after this incident. The results of the investigation were presented for Department executive adjudication.

Executive evaluation of this incident determined no violations of Department policy.

On October 14, 2020, the Deputy Sheriff attended driver's training. Since this incident, he has not been involved in any additional traffic collisions.

The Deputy Sheriff involved in this incident attended training pertaining to the circumstances surrounding this incident.

Traffic Collision Assessment and Review

As a result of this collision, an assessment of employee-involved traffic collisions was conducted from January 1, 2018, to December 31, 2022. The audit revealed the following:

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2018	6	12
2019	5	10
2020	8	21
2021	6	16
2022	6	10

The number of preventable traffic collisions over the past five years was not excessive based on the amount of driving conducted by personnel assigned to Narcotics Bureau.

However, in an attempt to improve employee safety and reduce the Department's liability exposure, Narcotics Bureau continues to schedule personnel to the four and eight-hour driver training course facilitated by the Los Angeles County Sheriff's Department Emergency Vehicle Operations Center.


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.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shawnee N. Hinchman, Captain Risk Management Bureau	
Signature: 	Date: 12-11-2023

Name: (Department Head) Holly Francisco, Assistant Sheriff Countywide Operations	
Signature: 	Date: 12-13-23

Chief Executive Office Risk Management Inspector General USE ONLY
Are the corrective actions applicable to other departments within the County? <input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input type="checkbox"/> No, the corrective actions are applicable only to this Department.

Name: Daniela Prowizor-Lacayo (Risk Management Inspector General)	
Signature:  Daniela Prowizor Digitally signed by Daniela Prowizor Date: 2024.01.18 14:10:21 -08'00'	Date: 1/18/2024

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 18, 2024

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:34 a.m. The meeting was held virtually with Claims Board Members participating in person and online. Claims Board Members Adrienne M. Byers, and Oscar Valdez appeared in person and via video conference. Claims Board Chair Destiny Castro was absent.

All other persons present at the virtual Claims Board meeting: Edwin Lewis, Sanjay Athalye, Jonathan Brazile, Melissa McCaverty, Kevin Engelen, Michael Buennagel, Peter Bollinger, Michael Gordon, Mark Lomax, Pirjo L. Ranasinghe, Ali Fathi, and Victoria Jalili appeared for the Office of the County Counsel. Ronald Castaneda, Alma Fuentes Quintana, Christopher Sheppard, and Patrick Holland appeared for the Department of Public Works. Julia Kim, Dennis Breshears, and Tito Rodriguez appeared for the Fire Department. Minh Le appeared for Internal Services. Tracy Holcombe appeared for the District Attorney's Office. Robert Myrtle appeared for the Department of Health Services. Commander Crystal Miranda, Lieutenant Julia Valdes, Sergeant Shanese Winfrey, Deputy Renata Phillip, Commander Christopher Johnson, Captain John Lecrivain, Acting Commander John Macdonald, Captain Bryan Aguilera, Sergeant Juleen Smith, Chief Jack Ewell, Commander Thomas Giandomenico, and Captain Abi Ben-Sahile appeared for the Sheriff's Department. Harold G. Becks appeared for Harold G. Becks & Associates. Mark Kenneth Worthge appeared for Litchfield Cavo. Vanessa A. Evangelista and Jessica C. Covington appeared for Collins + Collins, LLP. Edwin Gerald Rush appeared for Sanders Roberts LLP. Michele Marla Goldsmith appeared for BDG Law Group.

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 (Government Code section 54956.9, subdivision (a)).

At 9:34 a.m., Adrienne M. Byers convened the meeting in closed session to discuss the items listed below as 4(a) through 4(o).

4. Report on Actions Taken in Closed Session.

No members of the public were present to hear the reportable actions of the Claims Board.

At 12:42 p.m., the Claims Board reconvened in open session and reported the actions taken in closed session as follows:

a. Non-litigated Claim of Magdalena Moran dba Adams Pack Station, Inc.

This claim seeks compensation for damages resulting from closure of the access road to claimant's business during an ongoing Public Works project.

Action Taken:

The Claims Board approved settlement of Item 4.a. in the amount of \$36,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

**b. Jose Miguel Hernandez, et al. v. Raymond Jesus Olivas, et al.
Los Angeles Superior Court Case No. 20STCV31814**

This lawsuit arises from injuries allegedly sustained in an automobile accident involving an employee from the Department of Public Works.

Action Taken:

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

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

**c. Amir Rofougaran, et al. v. Dept. of Water & Power of the City of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV28730**

This inverse condemnation lawsuit against the Department of Public Works alleged that a storm drain rupture caused flooding and property damage.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.c. in the amount of \$250,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

**d. Victor Curiel, et al. v. Christopher William Gussman, et al.
Los Angeles Superior Court Case No. 22STCV07927**

This lawsuit against the Fire Department arises from alleged injuries sustained in a multiple-automobile collision involving a paramedic vehicle driven by a Fire Department employee.

Action Taken:

The Claims Board approved settlement of Item 4.d. in the amount of \$30,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

**e. Logan Shingo Thatcher v. Christopher William Gussman, et al.
Los Angeles Superior Court Case No. 22STCV16654**

This lawsuit against the Fire Department arises from alleged injuries sustained in a multiple- automobile collision involving a paramedic vehicle driven by a Fire Department employee.

Action Taken:

The Claims Board approved settlement of Item 4.e. in the amount of \$55,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

f. **Francisco Perez v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV07790

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Fire Department vehicle which overturned while transporting inmate fire crew members.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.f. in the amount of \$125,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

g. **Juan Reyes Lopez v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20AVCV00732

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Fire Department vehicle which overturned while transporting inmate fire crew members.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.g. in the amount of \$150,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

h. **Non-Litigated Claims of Jose and Ana Chavez; Alicia Carrillo, Modesto Zepeda, and Ovidio Hernandez; Jovani Gomez; Jaime Rodriguez; and Alfredo Terrazas and Marita Florita Ruiz**

These five tax claims brought by property owners allegedly impacted by fraudulent behavior of home improvement contractors under the County's PACE program seek compensation for incomplete construction.

Action Taken:

The Claims Board approved settlement of Item 4.h. in the amounts of 1) \$77,239.07, 2) \$52,001.47, 3) \$33,623.78, 4) \$42,051.02, and 5) \$20,505.16.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

i. **Luis Enrique Hernandez v. The County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 22NWCV00036

This lawsuit concerns allegations related to the County's PACE program and improper release of funds to Plaintiff's home improvement contractor.

Action Taken:

The Claims Board continued Item 4.i. in the amount of \$55,000 at the request of counsel.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

j. **Janet Cabrera, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 22STCV00398

This lawsuit arises from alleged injuries sustained in an automobile accident involving an employee of the District Attorney's Office.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.j. in the amount of \$200,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

k. **Non-Litigated Claim of Kenneth A. Adams, Jr.**

This claim concerns allegations of personal injuries and property damage caused by an automobile accident involving a patrol vehicle driven by a Sheriff's deputy.

Action Taken:

The Claims Board approved settlement of Item 4.k. in the amount of \$46,251.39.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

l. **Daniel Winners v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 22STCV26751

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

Action Taken:

The Claims Board approved settlement of Item 4.l. in the amount of \$47,500.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

m. **Larry Waldie v. County of Los Angeles**
Los Angeles Superior Court Case No. 20STCV24195

This is a waiver of costs of an appeal against the Sheriff's Department which concerned allegations of retaliation.

Action Taken:

The Claims Board continued Item 4.m. in the amount of \$37,677.72 at the request of counsel.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

n. **Eric Baruch v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV41980

This lawsuit alleges that a Sheriff's deputy was subjected to harassment, discrimination, and retaliation.

Action Taken:

The Claims Board approved settlement of Item 4.n. in the amount of \$88,500.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

o. **Natalie Jackson v. County of Los Angeles**
Los Angeles Superior Court Case No. 22STCV14829

This lawsuit alleges that a former employee of the Department of Health Services was subjected to discrimination, hostile work environment, and retaliation.

Action Taken:

The Claims Board approved settlement of Item 4.o. in the amount of \$40,000.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

5. **Approval of the Minutes for the February 26, 2024, special meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the February 26, 2024, meeting.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers
Absent: Destiny Castro

6. Adjournment.

The meeting was adjourned at 12:45 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By *Laura Salazar*
 Laura Salazar
 Claims Board Secretary

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 1, 2024

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 1:01 p.m. The meeting was held virtually with Claims Board Members Oscar Valdez, and Chair Destiny Castro participating in person at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Sixth Floor, Conference Room C, Los Angeles, California 90012. Claims Board Member Adrienne M. Byers was absent.

All other persons present at the virtual Claims Board meeting: Millicent L. Rolon, Minas Samuelian, and Raina Mey appeared for the Office of the County Counsel. Sergeant Shanese Winfrey, Deputy Renata Phillip, Commander Rick Rector, Captain Edmundo Torres, Lieutenant/Acting Captain Julia M. Valdes, Captain Nicole Palomino, Lieutenant Tania Giggles, Sergeant Francisco Quintero, Commander/Acting Chief Jose Mendoza, Commander Michael Hannemann, Lieutenant Hugo Reynaga appeared for the Sheriff's Department. Diana M. Teran, Tracy Holcombe, and Navjot Kaur appeared for the District Attorney's Office. Lenore Kelly appeared for Collinson, Daehnke, Inlow & Greco. Marina Samson appeared for Ivie McNeill Wyatt Purcell & Diggs. Michael Allen appeared for Lawrence, Beach, Allen & Choi, PC.

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 (Government Code section 54956.9, subdivision (a)).

At 1:01 p.m., Chair Destiny Castro convened the meeting in closed session to discuss the items listed below as 4(a) through 4(c).

4. Report on Actions Taken in Closed Session.

No members of the public were present to hear the reportable actions of the Claims Board.

At 2:05 p.m., the Claims Board reconvened in open session and reported the actions taken in closed session as follows:

a. Sanchez Gallegos, Gloria v. County of Los Angeles, et al. United States District Court No. 2:23-cv-00112

This federal civil rights lawsuit against the Sheriff's Department arises out of the fatal shooting of Plaintiff's son.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.a. in the amount of \$250,000.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Absent: Adrienne M. Byers

**b. Estate of Dijon Kizzee, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV34142**

This civil rights lawsuit against the Sheriff's Department stems from the fatal shooting of Mr. Kizzee.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.b. in the amount of \$3,375,000.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Absent: Adrienne M. Byers

**c. John Klene, et al. v. Doral Riggs, et al.
United States District Court Case No. 2:22-cv-08318**

This federal civil rights lawsuit against the Sheriff's Department and District Attorney's Office arises from the alleged wrongful conviction that resulted in Plaintiffs' incarceration for over 23 years.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.c. in the amount of \$24,000,000.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Absent: Adrienne M. Byers

5. Approval of the Minutes for the March 18, 2024, regular meeting of the Claims Board.

Action Taken:

The Claims Board continued the approval of the Minutes for the Regular Meeting held on March 18, 2024, to the Claims Board meeting set for April 15, 2024.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Absent: Adrienne M. Byers

6. Adjournment.

The meeting was adjourned at 2:06 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By



Laura Salazar
Claims Board Secretary