



# COUNTY OF LOS ANGELES

## CLAIMS BOARD

500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

### MEMBERS OF THE BOARD

John Naimo  
Auditor-Controller  
Steve Robles  
Chief Executive Office  
Roger H. Granbo  
Office of the County Counsel

### NOTICE OF MEETING

The County of Los Angeles Claims Board will hold a regular meeting on **Monday, March 20, 2017, at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

### 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 State Farm Mutual Automobile Insurance Company

This claim arises from alleged damages sustained in a vehicle accident involving a Fire Department employee.
  - b. Juan Maldonado v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 588 994

This lawsuit arises from alleged injuries and damages sustained in a vehicle accident involving an employee from the Department of Parks and Recreation; settlement is recommended in the amount of \$66,500.

See Supporting Document

- c. James Castillo, Sr., et al. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 591 419

This lawsuit arises from alleged injuries and damages sustained when a County-owned tree maintained by the Department of Public Works fell on Plaintiffs; settlement is recommended in the amount of \$2,000,000.

[See Supporting Documents](#)

- d. Manuel Casas Porras v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 536 811

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an on-duty Sheriff's Deputy; settlement is recommended in the amount of \$25,000.

[See Supporting Document](#)

- e. Fernie Mosquera v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 553 310

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Department Security Officer and a motorcyclist; settlement is recommended in the amount of \$70,000.

[See Supporting Document](#)

- f. Guadalupe Lopez v. County of Los Angeles.  
Los Angeles Superior Court Case No. BC 540 387 / BC 588 302

This lawsuit alleges that an employee from the Sheriff's Department was subjected to retaliation and harassment; settlement is recommended in the amount of \$1,500,000.

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the March 6, 2017, regular meeting of the Claims Board.

[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.
7. Adjournment.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Juan Maldonado vs. County of Los Angeles, et al,
CASE NUMBER	BC588994
COURT	Los Angeles Superior Court
DATE FILED	October 6, 2014
COUNTY DEPARTMENT	Department of Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 66,500
ATTORNEY FOR PLAINTIFF	Ron Martinetti, Esq. Bazan Huerta & Associates
COUNTY COUNSEL ATTORNEY	Bruce W. Cochran, Esq. Principal Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on July 9, 2014, on Temple Avenue and Perez Place, in the City of Industry when Plaintiff Juan Maldonado's vehicle collided with a Parks and Recreation vehicle driven by a County employee. Mr. Maldonado claims injuries as a result of the accident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 30,958
PAID COSTS, TO DATE	\$ 8,524

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	James Castillo, Sr., et al. v. County of Los Angeles, et al.
CASE NUMBER	BC591419
COURT	Los Angeles Superior Court
DATE FILED	August 14, 2015
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 2,000,000
ATTORNEY FOR PLAINTIFF	Shawn Steel & Associates
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises out of an incident when a County tree fell in the front yard of plaintiffs' property located at 3927 Croton Avenue, in unincorporated North Whittier. Plaintiffs James Castillo, Sr., his wife Angela Castillo, and their minor children, Aaliyah, James, Jr., and Andrea all claim to have suffered injuries and damages 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	\$ 82,482
PAID COSTS, TO DATE	\$ 15,001

Case Name: James and Andrea Castillo



## 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:	March 27, 2015
Briefly provide a description of the incident/event:	On March 27, 2015, a County tree in the parkway in front of 3927 Croton Avenue fell and injured several people who were washing a dog in the front yard.

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

A work order request was submitted months before the tree fell to the Tree Trimmer Working Supervisor to further evaluate the tree. This work order was not updated, completed, or closed out in a timely manner.

The subject Silver Maple tree was inspected as part of a County administered Tree Trimming Contract. The contractor notified Public Works on January 20, 2015, that the Silver Maple tree needed to be removed. Public Works did not remove the dying tree.

There was a substantial amount of ivy on the trunk of the subject tree. The base (or root flair) of a tree needs lots of air and ivy prevents it from getting air. Clinging ivy cuts off needed circulation, contributing to the decay of the tree.

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

Immediately following the incident, RMD Urban Forestry Crews were instructed to remove trees previously identified for removal in a timely manner but no later than 4 weeks.

The Public Works Tree Program was clarified to create a greater sense of urgency to remove diseased and distressed trees identified for removal.

Tree Program instructions reflecting the above were committed to written memoranums on February 17 and 22, 2016, and reviwed with Tree Program staff. These instrucionts will also be incorporated into the Parkway Tree Planting and Maintenance Guidelines by October 1, 2016.

Appropriate disciplinary measures were dispensed to the Tree Program Senior Civil Engineer, a Tree Trimmer District Supervisor and a Tree Trimmer Workign Supervisor.

By November 1, 2016, Public Works will develop a formal procedure for communicating and documenting tree trimming contract scope changes. As well, Public Works will incorporate a checklist of basic tree-related hazards to standardize all tree inspections for in-house work and for work performed through tree trimming contracts.

Public Works has begun to notify adjacent property owners to remove climbing vines on parkway trees.

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) Michael J. Hays	
Signature: <i>MJ Hays</i>	Date: 8/30/16

Name: (Department Head) Gail Farber	
Signature: <i>Gail Farber</i>	Date: 9-14-16

**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) <i>Destiny Castro</i>	
Signature: <i>Destiny Castro</i>	Date: 8/26/2016

JD:psr  
P4:CASTILLO SCAP1

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Manuel Casas Porras v. Los Angeles County Sheriff's Department, et al.
CASE NUMBER	BC536811
COURT	Los Angeles Superior Court
DATE FILED	February 19, 2014
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 25,000
ATTORNEY FOR PLAINTIFF	Steven L. Friedman
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on February 22, 2012, in the westbound, high occupancy vehicle lane of State Route 60 between Diamond Bar Boulevard and Golden State Road in Diamond Bar when a vehicle driven by an on-duty Deputy Sheriff collided into the rear-end of the vehicle driven by plaintiff Manuel Casas Porras. Plaintiff claims to have suffered injuries and damages 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	\$ 39,837
PAID COSTS, TO DATE	\$ 8,762

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Fernie Mosquera v. County of Los Angeles, et al.
CASE NUMBER	BC553310
COURT	Los Angeles Superior Court
DATE FILED	July 31, 2014
COUNTY DEPARTMENT	Sheriff's Department - Parks Bureau
PROPOSED SETTLEMENT AMOUNT	\$ 70,000
ATTORNEY FOR PLAINTIFF	Jeff Billings, Esquire Law Offices of Larry H. Parker
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Senior Associate County Counsel
NATURE OF CASE	<p>On August 19, 2013, an on-duty Sheriff's Department Parks Bureau Security Officer, driving a sedan, made a left turn in the intersection of Pathfinder Road and Buttonwood Lane, and collided with a motorcycle being driven by Fernie Mosquera, who had the right of way. As a result of the collision, Mr. Mosquera claims injuries, property damage, and loss of earnings. Mr. Mosquera contends that the Sheriff's Department employee was negligent and that the County is vicariously liable for his negligence.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$70,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 29,047
PAID COSTS, TO DATE	\$ 6,698

**COUNTY OF LOS ANGELES CLAIMS BOARD**

**MINUTES OF REGULAR MEETING**

**MARCH 6, 2017**

**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 Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Bruce Cochran, Millicent Rolon, Edwin Lewis, Joseph Langton, and Kent Sommer; Sheriff's Department: Chris Perez, Joseph Gooden, Sergio Aloma, Blaine Bolin, Ed Winslow, Kerry Carter, Joe Stephen, Kevin Percy, and Dominic Dannan; Department of Children and Family Services: Lynne Condon, Zareh Zargaryan, and George Smith.

**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 9:32 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(j) below.

**4. Report of actions taken in Closed Session.**

At 10:33 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Daniel Serrano and Wendy Navarette v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 608 212**

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$53,000.

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

b. **Kelsey Martin and Melinda Brown v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 585 470**

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$35,000.

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

c. **Julie and Layazel Dumbrique v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 585 174**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Department utility truck.

Action Taken:

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

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

d. **Teshawn Gathier v. County of Los Angeles, et al.**  
**United States District Court Case No. CV 15-9264**

This lawsuit concerns allegations of federal civil rights violations, battery, and negligence after Plaintiff was shot by Sheriff's Deputies.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$72,000.

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

e. **Angela Carr v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 571 601**

This lawsuit alleges Plaintiff's federal civil rights were violated when a Sheriff's Sergeant unlawfully seized and search her cell phone during a traffic stop.

Action Taken:

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

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

f. **Rodonna Laffitte, et al. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 526 786**

This wrongful death lawsuit concerns allegations of excessive force by Sheriff's Deputies during an attempted apprehension.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,500,000.

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

g. **Complaint of Chychy Ekeochah**

This Department of Fair Employment and Housing complaint concerns allegations that an employee of the Department of Children and Family Services was subjected to discrimination, harassment based on disability, and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$62,500.

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

h. **Complaint of Edward Flores**

This Department of Fair Employment and Housing complaint concerns allegations that an employee of the Department of Children and Family Services was subjected to discrimination, harassment based on disability, and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$62,500.

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

i. **Complaint of Madrona Robertson**

This Department of Fair Employment and Housing complaint concerns allegations that an employee of the Department of Children and Family Services was subjected to discrimination, harassment based on disability, and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$62,500.

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

j. **Complaint of Jan Williams**

This Department of Fair Employment and Housing complaint concerns allegations that an employee of the Department of Children and Family Services was subjected to discrimination, harassment based on disability, and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$62,500.

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

5. **Approval of the minutes of the February 6, 2017, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

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

6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

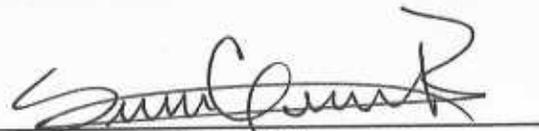
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:36 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Sandra C. Ruiz