

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, JULY 17, 2017, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Roger Granbo

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. Non-Litigated Claim of Mario and Sandra Ramirez

This claim seeks compensation from the Department of Public Works for real and personal property damages allegedly caused from a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$251,700 (includes prior payment of \$1,700).

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

**b. Angelica Iboa v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 025 998**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Fire Department flatbed truck.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$24,710.24.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

c. **Emma Hakobyan v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 514 205

This dangerous condition lawsuit arises from alleged injuries received in a trip and fall accident in the picnic area of the Castaic Lake Recreation Area.

Action Taken:

The Claims Board recommended to the Board of Supervisor the settlement of this matter in the amount of \$650,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

d. **Luis Carlos Rodriguez, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 587 683

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$75,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

e. **Harvey Amezcua v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 509 827

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$100,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

f. **Lloyd Joseph Collins v. State of California, et al.**
United States District Court Case No. CV 15-00710

This lawsuit concerns allegations of federal civil rights violations and false imprisonment when Plaintiff was jailed overnight without a bed and denied medical treatment for his leg pain.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$270,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

g. **Gabino Rosales, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 2:12-CV-03852
Los Angeles Superior Court Case No. BC 546 642

This lawsuit alleges federal civil rights violations, wrongful death, negligence, and battery arising out of the death of a mentally ill inmate while incarcerated at Twin Towers Correctional Facility.

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 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

h. **Alison Whitman v. County of Los Angeles, et al.**
United States District Court Case No. 2:16-CV-01759

This lawsuit alleges Plaintiff's civil rights were violated when the Department of Children and Family Services removed her 16-month-old son without her consent, exigent circumstances, or a warrant.

Action Taken:

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

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

i. **Joseph Avery v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 605 785

This lawsuit concerns allegations that an employee of the Department of Mental Health was subjected to disability discrimination, retaliation, and that the Department failed to prevent harassment and engage in the interactive process.

Action Taken:

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

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

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 June 19, 2017, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[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 | Non-Litigated Claim of Mario and Sandra Ramirez |
| CASE NUMBER | N/A |
| COURT | N/A |
| DATE FILED | November 1, 2016 |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ \$251,700 (sum includes payment already made of \$1,700) |
| ATTORNEY FOR PLAINTIFF | Rosendo Gonzalez, Esquire |
| COUNTY COUNSEL ATTORNEY | Lindsay Yoshiyama Deputy County Counsel |
| NATURE OF CASE | This claim arises from a blocked sewer mainline that caused a sewage backflow into Claimants' residence and damaged their real and personal property. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted. |
| PAID ATTORNEY FEES, TO DATE | \$ 0 |
| PAID COSTS, TO DATE | \$ 6,514 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Angelica Iboa v. County of Los Angeles, et al. |
| CASE NUMBER | MC 025998 |
| COURT | Los Angeles Superior Court |
| DATE FILED | January 14, 2016 |
| COUNTY DEPARTMENT | Fire Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 24,710.24 |
| ATTORNEY FOR PLAINTIFF | The Banafshe Law Firm, PC |
| COUNTY COUNSEL ATTORNEY | Kevin Engalien Deputy County Counsel |
| NATURE OF CASE | <p>On March 12, 2014, a Fire Department employee, while driving a Fire Department vehicle, collided with Plaintiff Angelica Iboa in the intersection of Lancaster Boulevard and Division Street in the City of Lancaster. Ms. Iboa alleges that the employee negligently operated the Fire Department vehicle causing her personal injuries.</p> <p>Due to the risks of litigation, a full settlement of the case is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 17,584 |
| PAID COSTS, TO DATE | \$ 2,309 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Emma Hakobyan v. County of Los Angeles, et al. |
| CASE NUMBER | BC514205 |
| COURT | Los Angeles Superior Court |
| DATE FILED | July 3, 2013 |
| COUNTY DEPARTMENT | Department of Parks and Recreation |
| PROPOSED SETTLEMENT AMOUNT | \$ 650,000 |
| ATTORNEY FOR PLAINTIFF | Chris Ardalan Ardalan & Associates |
| COUNTY COUNSEL ATTORNEY | Richard K. Kudo Principal Deputy County Counsel |
| NATURE OF CASE | This lawsuit arises from a trip and fall accident involving plaintiff Emma Hakobyan that occurred in the picnic area of Castaic Lake Recreation Area. Ms. Hakobyan claims to have suffered 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 | \$ 264,075 |
| PAID COSTS, TO DATE | \$ 62,690 |



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 28, 2012 |
| Briefly provide a description of the incident/event: | A 78 year old woman alleges she was injured when she tripped on the edge of the concrete pad in the picnic area at Castaic Lake when she stood up from the picnic table. |

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

The distance between the edge of the concrete pad and the picnic table made it difficult to walk between the edge of the concrete pad and picnic table without coming into close proximity to the edge of the concrete pad.

2. Briefly describe recommended corrective actions:

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

All picnic tables at Castaic Lake that have a similar distance to the edge of their respective concrete pads as the table and concrete pad where the incident occurred have been scheduled to be removed to provide more clearance.

An investigation was conducted and no administrative violations were found; however, a memo will be sent out reminding employees to obtain the necessary approval for construction projects. In the event that modifications or construction to the original design needs to be made; copies of the original design will be kept in perpetuity at the Department of Public Works Building and Safety in both hardcopy and microfiche copy, and a hardcopy will be kept in perpetuity in the Department's Planning and Development section and Regional headquarters for easy access so as to ensure any modifications comply with the original design.

3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management for assistance)

- ☒ Does not appear to have County-wide or other department implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Potentially has County-wide implications.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)
Donald Limbrick for Anush Gambaryan

Signature:

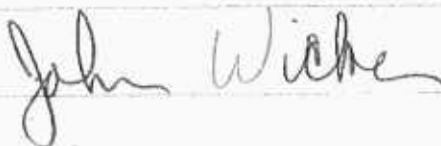


Date:

6-1-17

Name: (Department Head)

Signature:



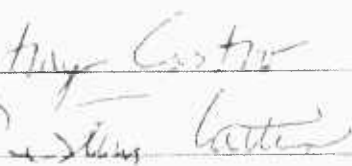
Date:

6/15/17

Chief Executive Office Risk Management

Name:

Signature:



Date:

6/1/2017

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Luis Carlos Rodriguez, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | BC587683 |
| COURT | Los Angeles Superior Court |
| DATE FILED | July 9, 2015 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 75,000 |
| ATTORNEY FOR PLAINTIFF | Mitra Chegini and David Castenholz California Lawyers Group, Inc. |
| COUNTY COUNSEL ATTORNEY | Richard K. Kudo Principal Deputy County Counsel |
| NATURE OF CASE | This case involves a February 13, 2015, automobile collision between a Chevrolet Suburban sport utility vehicle driven by plaintiff Luis Carlos Rodriguez and a Ford Crown Victoria radio car driven by a Deputy Sheriff that occurred in the number one lane of southbound Ford Boulevard, just north of 3rd Street, in East Los Angeles. Mr. Rodriguez's wife Yaninna Rodriguez and their two minor sons Isaac and Jacob were also in the Suburban. Mr. and Mrs. Rodriguez each 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 | \$ 16,740 |
| PAID COSTS, TO DATE | \$ 19,723 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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|-----------------------------|--|
| CASE NAME | Harvey Amezcua v. County of Los Angeles, et al. |
| CASE NUMBER | BC509827 |
| COURT | Los Angeles Superior Court |
| DATE FILED | May 23, 2013 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 100,000 |
| ATTORNEY FOR PLAINTIFF | April Blackman & Rhett T. Francisco |
| COUNTY COUNSEL ATTORNEY | Michael J. Gordon, Deputy County Counsel |
| NATURE OF CASE | <p>On August 28, 2012, an employee of the Sheriff's Department lost control of her patrol car while driving on Southbound Interstate 5 near the Chapman Avenue Overpass causing a collision with the plaintiff's vehicle. Plaintiff claims he sustained injuries to his neck, back, right hip, right knee, and headaches as a result of the accident. He claims \$105,600 in recoverable past medical expenses, an unspecified amount for future medical expenses, and general damages for pain and suffering.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$100,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 48,546 |
| PAID COSTS, TO DATE | \$ 19,125 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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|-----------------------------|--|
| CASE NAME | Lloyd Joseph Collins v. State of California, et al. |
| CASE NUMBER | CV 15-00710 FFM |
| COURT | United States District Court |
| DATE FILED | November 10, 2014 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 270,000 |
| ATTORNEY FOR PLAINTIFF | Robert L. Bastian, Jr., Esquire |
| COUNTY COUNSEL ATTORNEY | Edwin A. Lewis Principal Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$270,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Lloyd Joseph Collins alleging that his federal civil rights were violated when he was jailed overnight without a bed and denied medical treatment for leg pain.</p> <p>Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$270,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 156,785 |
| PAID COSTS, TO DATE | \$ 12,676 |

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|-------------------|------------------------|
| Case Name: | Collins, Lloyd V. COLA |
|-------------------|------------------------|

County of Los Angeles
Summary Corrective Action Plan



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 18, 2013 |
| Briefly provide a description of the incident/event: | <p>Incident</p> <p>Plaintiff was arrested on October 18, 2013 by CHP South Los Angeles Division.). He was on his cell phone in the lobby of CHP calling the CHP complaint line, when an Officer directed him to go outside to talk on the phone. After failing to follow several requests by the Officer to use his cell phone outside, Plaintiff was arrested for 148 pc, a Misdemeanor (Obstructing the police). He was transported to IRC as a direct book in as CHP does not have a booking station.</p> <p>Plaintiff alleged that while in the Los Angeles County Jail, IRC:</p> <ol style="list-style-type: none"> 1. He was forced to sleep on an unsanitary floor 2. He did not receive his medication in a timely manner 3. He did not receive all of his property which was taken at the time of his arrest. |

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

The Department root cause in this incident: The primary Department root cause in this incident is Custody failed to communicate with Medical Services the fact Plaintiff was due to be released which caused him not to be placed in a bed and delayed his release.

Case Name:

Collins, Lloyd V. COLA

County of Los Angeles
Summary Corrective Action Plan

2. Briefly describe recommended corrective actions:

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

- Place the IRC Lead Deputy and Medical Services Lead Nurse in close proximity (desks side by side) to close the gap in communication regarding inmates who are set for release. This will cause an inmate to be seen as soon as possible in an effort to shorten the wait time for medical evaluation prior to release.


Completed

Responsible person: Assistant Sheriff Kelly Harrington

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|-------------------|------------------------|
| Case Name: | Collins, Lloyd V. COLA |
|-------------------|------------------------|

County of Los Angeles
Summary Corrective Action Plan

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|--|---------------|
| Name: (Risk Management Coordinator) Commander Christy Guyovich | |
| Signature:  | Date: 5-12-17 |

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|--|---------------|
| Name: (Department Head) Chief Joanne Sharp | |
| Signature:  | Date: 5-12-17 |

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| 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) CEO Destiny Castro | |
| Signature:  | Date: 5/15/2017 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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|-----------------------------|---|
| CASE NAME | Rosales Gabino, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | 2:12-CV-03852 BC 546642 |
| COURT | United States District Court Los Angeles Superior Court |
| DATE FILED | April 3, 2012 (Federal) May 23, 2014 (State) |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 375,000 |
| ATTORNEY FOR PLAINTIFF | Law Offices of Luis Carrillo Law Offices of Dale K. Galipo |
| COUNTY COUNSEL ATTORNEY | Joseph A. Langton Principal Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$375,000, inclusive of attorneys' fees and costs, the federal and subsequent State court lawsuits filed by Plaintiffs Gabino Rosales and Maria Olivia Rosales, parents of Jorge Rosales, a mentally ill inmate who died in Twin Towers Correctional Facility on October 6, 2011. Plaintiffs allege their son died after he was beaten by Sheriff's Deputies and filed a lawsuit in federal court alleging wrongful death, negligence, battery, and federal civil rights violations against the County, four Deputies, and a Sheriff's Department doctor, and then a subsequent State court lawsuit against the County and four Deputies alleging only the State-law claims.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$375,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 253,420 |
| PAID COSTS, TO DATE | \$ 75,877 |

Case Name:

Rosales, George v. County of Los Angeles

County of Los Angeles
Summary Corrective Action Plan



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: | November 26, 2014 |
| Briefly provide a description of the incident/event: | <p>Incident</p> <p>On October 4, 2011, Decedent was housed in the Correction Treatment Center (CTC). He requested to take a shower and was escorted to the showers unhandcuffed by Deputy.</p> <p>As they reached the showers, Decedent suddenly turned and ran away. The Deputy chased after him. Used force to subdue him. Decedent was handcuffed and returned to his cell.</p> <p>Decedent sustained facial injuries.</p> <p>On October 6, 2011, decedent was observed to be lying on the floor next to his bunk bed, on his left side, unresponsive, with deep, labored breathing with some wheezing. The Clinical Director of the CTC, was notified and responded immediately.</p> <p>Deputies entered the cell and removed him for examination by medical personnel. Decedent not breathing and had no pulse. CPR was initiated at 00:47 hours. Paramedics arrived at 00:58 hours and transported him from the unit to the hospital at 01:16 hours. Decedent was pronounced dead at 01:30 hours.</p> |

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

The primary **Department** root cause in this incident involves the lack of handcuffing Decedent. This incident could have potentially been prevented had the Deputy maintained control of him. However the Deputy used his professional judgement (per policy) and chose not to handcuff the inmate as he was not exhibiting any signs of non-compliance.

| | |
|-------------------|--|
| Case Name: | Rosales, George v. County of Los Angeles |
|-------------------|--|

County of Los Angeles
Summary Corrective Action Plan

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

Custody personnel assigned to the mental health housing areas shall use their discretion in handcuffing mentally ill inmates and shall consult with the medical and mental health personnel regarding the need to handcuff the inmate or use other security measures.


Completed

Responsible person: Assistant Sheriff Kelly Harrington

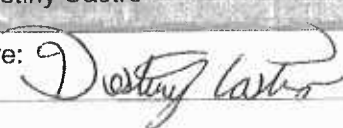
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|-------------------|--|
| Case Name: | Rosales, George v. County of Los Angeles |
|-------------------|--|

County of Los Angeles
Summary Corrective Action Plan

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|--|---------------|
| Name: (Risk Management Coordinator) Commander Christy Guyovic | |
| Signature:  | Date: 5.23.17 |

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|--|---------------|
| Name: (Department Head) Chief Stephen B. Johnson | |
| Signature:  | Date: 5/24/17 |

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|--|--|
| 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) CEO Destiny Castro | |
| Signature:  | Date: 5/23/2017 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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|-----------------------------|---|
| CASE NAME | Alison Whitman v. COLA |
| CASE NUMBER | 2:16-CV-01759 |
| COURT | United States District Court |
| DATE FILED | September 20, 2014 |
| COUNTY DEPARTMENT | Department of Children and Family Services |
| PROPOSED SETTLEMENT AMOUNT | \$ 250,000 |
| ATTORNEY FOR PLAINTIFF | Law Office of Shawn A. McMillan |
| COUNTY COUNSEL ATTORNEY | Armita Radjabian, Deputy County Counsel Avi Burkwitz, Esquire Peterson, Bradford, Burkwitz, LLP |
| NATURE OF CASE | This is a recommendation to settle for \$250,000 the lawsuit filed by Plaintiff Alison Whitman against the County of Los Angeles, alleging violation of her civil rights. |
| PAID ATTORNEY FEES, TO DATE | \$ 104,000 |
| PAID COSTS, TO DATE | \$ 15,239 |

Case Name: Alison Whitman vs. COLA, et al.



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: | September 20, 2014 |
| Briefly provide a description of the incident/event: | Plaintiff alleges that on September 20, 2014, she was injured and her civil rights were violated when the Department wrongfully removed her child from her care after the child sustained a fractured femur. Plaintiff further alleges the dependency case was dismissed on February 11, 2015. |

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


Lack of clarity about what constitutes exigency.


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 incidents giving rise to this lawsuit, and continues to ensure that its protocols support the current state of the law so as to assist its workforce in providing appropriate and legally-sufficient child welfare services. Relevant training has been made more accessible to social work staff and a mechanism for tracking completion of such training has been implemented. Additionally, the warrant desk is available to all social work staff for legal consultation when taking children into protective custody is being considered.

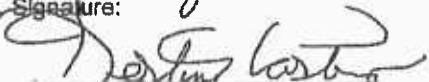
County of Los Angeles
Summary Corrective Action Plan

- ✓ 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: 2.28.17 |

| | |
|--|-----------------|
| Name: (Department Head) | |
| BRANDON NICHOLS, ACTING DIRECTOR | |
| Signature:  | Date: 3-3-17 |

| | |
|--|--|
| 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) | |
| Destiny Castro | |
| Signature:  | Date: 2/22/2017 |

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COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

JUNE 19, 2017

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:28 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: Michael Gordon, Diane Reagan, Millicent Rolon, Timothy Kral, Dusan Pavlovic, and Armita Radjabian; Department of Public Works: Mike Hays; Sheriff's Department: Kerry Carter, Holly Perez, Joseph Dempsey, April Carter, Kevin Percy, and Dominic Dannan; Department of Parks and Recreation: Norma Garcia and Kevin Regan; Department of Children and Family Services: Christina Lee; and Outside Counsel: David Weiss.

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.

One member 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 9:30 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(g) below.

4. Report of actions taken in Closed Session.

At 10:42 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Marina Morales v. State of California, et al. Los Angeles Superior Court Case No. MC 022 261

This dangerous condition lawsuit against the Department of Public Works arises from injuries sustained in a vehicle accident.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$100,000.

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

b. **Belia Perez, et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 15-09585

This wrongful death lawsuit concerns allegations of excessive force during a vehicle pursuit when Plaintiff was shot while he fled from Sheriff's Deputies.

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 Roger Granbo

c. **Jose Hernandez, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 588 831

This lawsuit concerns allegations of negligence, assault and battery by Sheriff's Deputies when Plaintiff was accidentally shot in the leg while they responded to an altercation with a neighbor.

Action Taken:

The Claims Board recommended to the Board of Supervisor the settlement of this matter in the amount of \$2,000,000.

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

d. **Timothy Van Gordon v. County of Los Angeles, et al.**
United States District Court Case No. CV 16-04299

This lawsuit seeks compensation for injuries received by an inmate when he was assaulted by another inmate while in the custody of the Sheriff's Department.

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

e. **Brian Cesar Zamora v. County of Los Angeles, et al.**
United States District Court Case No. CV 15-05405

This lawsuit alleges that Sheriff's Deputies violated Plaintiff's civil rights and the Americans with Disabilities Act by being deliberately indifferent to his communication and medical needs while he was incarcerated.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$55,000.

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

f. **Del Rey Marketing, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 162 425

This breach of contract lawsuit against the Department of Parks and Recreation concerns a cancellation of the use of the Whittier Narrows Recreation area two weeks before Plaintiff's scheduled event occurred.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$65,000.

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

g. **Cody K. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 558 280

This lawsuit concerns allegations of civil rights violations and breach of mandatory duties by the Department of Children and Family Services when Plaintiff was in a foster home where he was sexually molested by another foster youth.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$55,000.

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

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

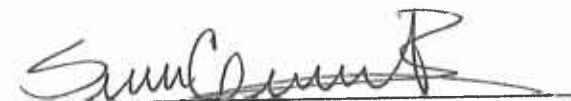
6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting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

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:45 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Sandra C. Ruiz