

**STATEMENT OF PROCEEDINGS**  
**FOR THE REGULAR MEETING**  
**OF THE LOS ANGELES COUNTY CLAIMS BOARD**  
**HELD IN ROOM 651 OF THE KENNETH HAHN HALL OF ADMINISTRATION,**  
**500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

**ON**

**MONDAY, JULY 7, 2008, AT 8:00 AM**

Present: Maria M. Oms, Rocky Armfield and John Krattli

**The following items were presented to the Claims Board for consideration and the Claims Board took actions as indicated in bold.**

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. Jiam Jit Eichhorn, et al. v. County of Los Angeles and Joshua Joel Hernandez  
Los Angeles Superior Court Case No. 07K155669

This case arises from injuries sustained in a motor vehicle accident involving an employee of the Coroner's Department.

**Action Taken**

**The Claims Board approved settlement of this multi-party matter. The substance of the above-settlement will be disclosed upon inquiry by any person as soon as the settlement becomes final following approval by all parties.**

Absent: None

Vote: Unanimously carried

- b. Lucy Logan v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 361 641

This wrongful death lawsuit concerns allegations of excessive force by Sheriff's Deputies during a vehicle pursuit and attempted apprehension.

**Action Taken:**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$850,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Sheriff Department's budget.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

- c. Hazem Kamal Hawatmeh v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 369 600

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

**Action Taken**

**The Claims Board approved settlement of this matter in the amount of \$30,000.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

- d. Phillip L. Whong v. County of Los Angeles  
Los Angeles Superior Court Case No. GC 036 786

This lawsuit arises from injuries sustained in a motor vehicle accident involving an employee of the Sheriff's Department.

**Action Taken:**

**This matter was continued to the next Claims Board meeting.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

- e. Eva Loza and Griselda Maldonado v. County of Los Angeles  
Los Angeles Superior Court Case No. BC 354 078

This medical negligence lawsuit by a patient and her mother arises from treatment received at LAC+USC Medical Center.

**Action Taken:**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$762,500, plus the assumption of the Medi-Cal lien in the amount of \$226,327 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

- f. Marcos Fernandez, et al. v. County of Los Angeles  
Los Angeles Superior Court Case No. TC 018 956

This medical negligence lawsuit by a patient and his mother arises from treatment received at the Dollarhide Health Center.

**Action Taken:**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$850,000, plus the assumption of the Medi-Cal lien in the amount of \$56,294 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

- g. Ronald Verdekel, Estate of Heidi Verdekel, et al. v. County of Los Angeles  
U.S. District Court Case No. CB 06-01518 JFW

This wrongful death lawsuit arises from medical treatment provided at the Los Angeles County Jail and LAC+USC Medical.

**Action Taken:**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$595,000 and that the Auditor-Controller be instructed to draw warrants to implement this settlement from the Department of Health Services' and the Sheriff Department's budgets (to be shared equally).**

Absent: None

Vote: Unanimously carried

**[See Supporting Documents](#)**

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 for the June 16, 2008, meeting of the Claims Board.

**Action Taken:**

**The Minutes for the June 16, 2008, meeting of the Claims Board were approved.**

Absent:       None

Vote:           Unanimously carried

**[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	Lucy Logan v. County
CASE NUMBER	BC 361641
COURT	Los Angeles Superior Court Central
DATE FILED	November 8, 2006
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$850,000
ATTORNEY FOR PLAINTIFF	Gregory Yates and Ellen Ellison
COUNTY COUNSEL ATTORNEY	Dennis M. Gonzales
NATURE OF CASE	Ms. Logan's son, Carl Williams, refused to stop for Deputies who had attempted to pull him over for a traffic violation. Mr. Williams led Deputies on a pursuit that ended when Mr. Williams and a Sheriff's patrol unit collided. Deputies shot and killed Mr. Williams as they believed he tried to run over a Deputy after the initial collision. Ms. Logan contends that the initial collision was the fault of the Deputy and that Mr. Williams did not try to run over anyone. She also contends that the amount of shots fired was excessive.

Further, accident reconstruction experts disagreed as to whether or not the physical evidence of the collisions at the scene was consistent with the Deputies' reports of the incident.

Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$850,000 is recommended.

PAID ATTORNEY FEES, TO DATE	\$174,996
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PAID COSTS, TO DATE	\$68,565
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## 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:	<p><u>Lucy Logan v. County of Los Angeles, et al.</u> (Summary Corrective Action Plan #2008-007)</p> <p>Tuesday, June 13, 2006; 11:16 p.m.</p>
Briefly provide a description of the incident/event:	<p>On Tuesday, June 13, 2006, at approximately 11:16 p.m., two uniformed Los Angeles County deputy sheriffs, driving a standard black and white patrol vehicle, were patrolling an unincorporated area of Los Angeles County when they observed a vehicle being driven recklessly. The deputies, believing the driver was operating the vehicle under the influence of an alcoholic beverage, attempted to stop the vehicle. The driver, however, refused to stop and a vehicle pursuit ensued.</p> <p>At the termination of the vehicle pursuit, deputies from the Los Angeles County Sheriff's Department discharged their weapons, striking the suspect.</p> <p>The driver sustained several gunshot wounds. He was transported to a local hospital where he was pronounced dead.</p>

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

In defense of their lives, Los Angeles County deputy sheriffs discharged their duty weapons, striking and killing the driver of a motor vehicle.

The subsequent lawsuit alleges deprivation of federal and state civil rights, wrongful death, false arrest, brutality, assault and battery, conspiracy to obstruct justice, and conspiracy to deprive civil rights.

2. Briefly describe recommended corrective actions:

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

The driver was uncooperative and refused to yield to the deputies' lawful authority. With the driver attempting to run over the deputy sheriffs and ramming his vehicle into their marked patrol vehicle numerous times, the deputies, in defense of their lives, discharged their duty weapons, striking the driver.

The facts of this incident are disputed by the plaintiff's counsel. After his review of the collection



County of Los Angeles  
Summary Corrective Action Plan

methods of the physical evidence and a review of the photographs of the scene, the plaintiff's counsel concluded that available evidence does not support the deputies' version of the incident.

While an investigator retained by the County of Los Angeles opined that the evidence collection method(s) were flawed, he concluded that the fleeing driver did back up into one of the patrol vehicles on at least one occasion.

The Los Angeles County Sheriff's Department's administrative review revealed no employee misconduct on the part of Department personnel.

During the review, a decision was made to evaluate existing protocols which require representatives from the Los Angeles County Sheriff's Department's Traffic Services Detail to subordinate their investigative responsibilities to representatives of the Department's Homicide Bureau.

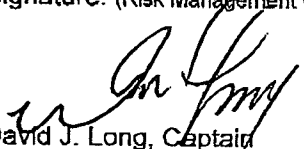

A full and final settlement at this time will avoid further litigation costs and a potential jury verdict which may exceed the recommended settlement amount.

**RECOMMENDED SETTLEMENT AMOUNT: \$850,000.**

This summary corrective action plan has no countywide implications (refer to #3 below).

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 Branch for assistance)

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

<p>Signature: (Risk Management Coordinator)</p>  <p>David J. Long, Captain Risk Management Bureau</p>	<p>Date:</p> <p>6-9-08</p>
<p>Signature: (Department Head)</p>  <p>Paul K. Tanaka Assistant Sheriff</p>	<p>Date:</p> <p>6-11-08</p>

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT  
RISK MANAGEMENT BUREAU

CORRECTIVE ACTION REPORT

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**Corrective Action Plan (CAP) Number:** 2008-007CR

**Lawsuit:**

**Name:** Lucy Logan v. County of Los Angeles, et al.  
**Case/Docket Number:** (Los Angeles Superior Court Case No. BC 361641)

**Investigator:** Christopher M. Deacon, Deputy  
Risk Management Bureau  
Leadership and Training Division

**Incident:**

**Date/Time:** Tuesday, June 13, 2006; 11:16 p.m.

**Location:** 1201 East 96<sup>th</sup> Street  
Los Angeles  
(Unincorporated Los Angeles County)

**Station, Bureau, or Facility:** Century Station  
(Field Operations Region II)

**Risk Issues:**

A public entity is responsible for the negligent acts of its employees when the acts are committed in the course and scope of employment.

**Investigative Summary:**

On Tuesday, June 13, 2006, at approximately 11:16 p.m., two uniformed Los Angeles County deputy sheriffs, driving a standard black and white patrol vehicle, were patrolling an unincorporated area of Los Angeles County when they observed a vehicle being driven recklessly. The deputies, believing the driver was operating the vehicle under the influence of an alcoholic beverage, attempted to stop the vehicle. The driver, however, refused to stop and a vehicle pursuit ensued.<sup>1</sup>

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<sup>1</sup> The driver (decedent), Carl Williams, was the sole occupant of the vehicle.

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CORRECTIVE ACTION REPORT #2008-007CR  
LUCY LOGAN V. COUNTY OF LOS ANGELES, ET AL.  
PAGE TWO

The pursuit proceeded west on 99<sup>th</sup> Street before the driver of the vehicle drove northbound through an alley east of Central Avenue. The driver intentionally collided with a stationary patrol vehicle occupied by two Los Angeles County deputy sheriffs. The driver's vehicle careened off the deputies' vehicle and hit a parked civilian vehicle.

The driver then placed his vehicle into reverse and drove directly toward the deputy sheriffs who by now had exited their vehicle. One of the deputy sheriffs, in an attempt to avoid being struck by the vehicle, jumped back into his patrol car. Both deputy sheriffs, fearing for their lives, discharged their duty weapons at the driver's vehicle. The driver then drove forward, stopped, and again placed his car in reverse. He drove in reverse toward the deputies, striking their vehicle a second time.

Fearing for their lives, deputy sheriffs discharged their duty weapons, striking the suspect.

The driver sustained several gunshot wounds. He was transported to a local hospital where he was pronounced dead.

**Damages:**

The lawsuit alleges deprivation of federal and state civil rights, wrongful death, false arrest, brutality, assault and battery, conspiracy to obstruct justice, and conspiracy to deprive civil rights.

**Evaluation:**

This is a case of disputed liability.

The driver was uncooperative and refused to yield to the deputies' lawful authority. With the driver attempting to run over the deputy sheriffs and ramming his vehicle into their marked patrol vehicle numerous times, the deputies, in defense of their lives, discharged their duty weapons, striking the driver.

The facts of this incident are disputed by the plaintiff's counsel. After his review of the collection methods of the physical evidence and a review of the photographs of the scene, the plaintiff's counsel concluded that available evidence does not support the deputies' version of the incident.

While an investigator retained by the County of Los Angeles opined that the evidence collection method(s) were flawed, he concluded that the fleeing driver did back up into one of the patrol cars on at least one occasion.

CORRECTIVE ACTION REPORT #2008-007CR  
LUCY LOGAN V. COUNTY OF LOS ANGELES, ET AL.  
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A full and final settlement at this time will avoid further litigation costs and a potential jury verdict which *may* exceed the recommended settlement amount.

**Administrative Review:**

Was a formal Risk Management Bureau (RMB) Critical Incident Analysis (CIA) conducted?	Yes
Was a formal administrative review initiated?	Yes
If yes, was appropriate administrative action taken?	No <sup>2</sup>
Was the employee's driving history analyzed during the administrative review?	N/A

**Policy Issues:**

The Los Angeles County Sheriff's Department had adequate policies and procedures in effect at the time of the incident.

**Training/Curriculum Issues:**

The Los Angeles County Sheriff's Department's current training curriculum sufficiently addresses the circumstances which occurred in this incident.

**Corrective Action:**

The Los Angeles County Sheriff's Department's administrative review revealed no employee misconduct on the part of the Department personnel.

During the review, a decision was made to evaluate existing protocols which currently require representatives from the Los Angeles County Sheriff's Department's Traffic Services Detail to subordinate their investigative responsibilities to representatives of the Department's Homicide Bureau.

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<sup>2</sup> This incident was thoroughly investigated by representatives of the Los Angeles County District Attorney's Office. In addition, the incident was thoroughly investigated by representatives of the Los Angeles County Sheriff's Department, including the Homicide Bureau, the Internal Affairs Bureau, and the Executive Force Review Committee. They concluded that no violation of established policy occurred.

CORRECTIVE ACTION REPORT #2008-007CR  
LUCY LOGAN V. COUNTY OF LOS ANGELES, ET AL.  
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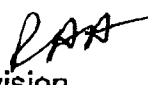
Will a formal Risk Management Bureau audit be required? Yes  
If yes, what is the date the audit will be performed? January, 2009  
Name of person/unit performing audit? Sergeant Robert J. Taliento  
Does this corrective action plan require notification to, or the assistance from, other County Departments? No  
If yes, what is the name, title, and organization of the person contacted? N/A  
How/when was the person contacted? N/A

**Settlement Amount:** \$850,000.00

**Prepared:** Patrick Hunter, Lieutenant   
Risk Management Bureau

**Submitted:** David J. Long, Captain   
Risk Management Bureau

**Reviewed:** Eric B. Smith, Commander   
Leadership and Training Division

**Approved:** Roberta A. Abner, Chief   
Leadership and Training Division

**Authorized:** Paul K. Tanaka, Assistant Sheriff

Signature: 

Date: 6/11/08

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Hazem Kamal Hawatmeh v. County
CASE NUMBER	BC 369600
COURT	Los Angeles Superior Court, Central
DATE FILED	April 16, 2007
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$30,000
ATTORNEY FOR PLAINTIFF	Jack L. Mattingly
COUNTY COUNSEL ATTORNEY	Jonathan C. McCaverty
NATURE OF CASE	<p>On August 5, 2005, Hazem Kamal Hawatmeh was an inmate in the Los Angeles County Jail. A Sheriff's Deputy observed Mr. Hawatmeh start to walk away from a line where he had been told to stand. The Deputy grasped Mr. Hawatmeh by the arm and attempted to handcuff him. Mr. Hawatmeh's left arm was broken during the handcuffing process.</p> <p>Mr. Hawatmeh alleges that the Deputy assaulted and battered him and that the force used was excessive. The Deputy claims that the force used was reasonable under the circumstances.</p>

Due to the risks, uncertainties and costs of litigation, a full and final settlement of the claim in the amount of \$30,000 is recommended.

PAID ATTORNEY FEES, TO DATE	\$20,142
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PAID COSTS, TO DATE	\$1,281
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## 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:	<p style="text-align: center;"><b><u>Hazem Kamal Hawatmeh v. County of Los Angeles</u></b> (Summary Corrective Action Plan #2008-005)</p> <p>Friday, August 5, 2005; 6:48 P.M.</p>
Briefly provide a description of the incident/event:	<p>The plaintiff was an inmate incarcerated at the Los Angeles County Sheriff's Department Inmate Reception Center (IRC).</p> <p>On Friday, August 5, 2005, the plaintiff was in the classification area of the facility pending his release from custody. He became recalcitrant when directed by a deputy sheriff to move to another location as his presence impeded the efficiency of the facility. A physical altercation between the plaintiff and the deputy sheriff ensued. The plaintiff alleged he was injured as a direct result of his interaction with a member of the Los Angeles County Sheriff's Department.</p>

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

On Friday, August 5, 2005, the plaintiff was in the presence of other inmates when he became verbally abusive toward a member of the Los Angeles County Sheriff's Department. A physical altercation between the plaintiff and a deputy sheriff ensued. In order to overcome the plaintiff's resistance and handcuff him, the deputy sheriff used physical force. During the incident, the plaintiff alleged his left shoulder was injured.

As a direct result of his interaction with a member of the Los Angeles County Sheriff's Department, the plaintiff alleged 1) he was kicked in the left thigh; 2) his left humerus was broken; and, 3) he was beaten, kicked, and slapped by several other deputy sheriffs while being held down on the floor.

2. Briefly describe recommended corrective actions:

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

No employee misconduct is alleged. No corrective action measures are contemplated.

During the subsequent administrative investigation, it was concluded that the level of physical force used upon the plaintiff in response to his resistance was reasonable, justified, and within the guidelines established by the Los Angeles County Sheriff's Department. The plaintiff's allegations that he was kicked in the left thigh and beaten, kicked, and slapped by other deputy sheriffs while being held down on the floor are not supported by any evidence. The plaintiff was, however, evaluated by medical personnel for a complaint of pain to his left shoulder.



The decision to settle this case is predicated on three components: 1) the plaintiff was allegedly injured during his incarceration in the Los Angeles County Sheriff's Department's Inmate Reception Center; 2) the plaintiff alleged that his injuries were the direct result of his interaction with a member of the Los Angeles County Sheriff's Department; and, 3) the relative uncertainty of the cost(s) to engage in an exhaustive discovery process to refute the plaintiff's assertion that his injuries (and severity therein) were the direct result of his interaction with a member of the Los Angeles County Sheriff's Department.

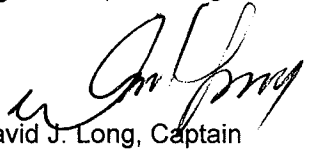
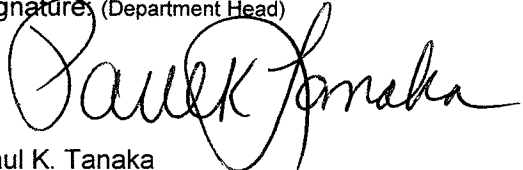
Consequently, a full and final settlement at this time will avoid further litigation expenses and a potential jury verdict which *may* exceed the recommended settlement amount.

**RECOMMENDED SETTLEMENT AMOUNT: \$30,000.**

This summary corrective action plan has no countywide implications (refer to #3 below).

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 Branch for assistance)

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

Signature: (Risk Management Coordinator)  David J. Long, Captain Risk Management Bureau	Date:  6-10-08
Signature: (Department Head)  Paul K. Tanaka Assistant Sheriff	Date:  6-11-08

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Phillip L. Whong v. County of Los Angeles, et al.</u>
CASE NUMBER	GC 036786
COURT	Los Angeles Superior Court Northeast District
DATE FILED	March 6, 2006
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$42,500
ATTORNEY FOR PLAINTIFF	Joseph H. Low, IV, Esq. (562) 901-0840
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	On July 30, 2005, two Sheriff's Deputies in marked patrol units were driving with red lights and sirens while responding to a "man with a gun" call. At the signalized intersection of Avenue K and 30 <sup>th</sup> Street West, in the City of Lancaster, one Deputy slowly entered the number three westbound lane of the intersection against a red signal in an attempt to control all traffic in the intersection for the patrol units that followed. As the Deputy continued to creep into the number two westbound lane, she saw a vehicle

traveling westbound toward her in the number two lane. The Deputy stopped abruptly, avoiding the westbound vehicle by two to three feet. A second Deputy, who was following closely behind the first Deputy at approximately 45 miles per hour, assumed that traffic in the intersection had been controlled and proceeded without stopping at a speed of approximately 40 miles per hour. As a result, the second Deputy broadsided the westbound vehicle. Dr. Phillip Whong, who was a passenger in the westbound vehicle, received a fractured rib and soft-tissue injuries to his neck and shoulder as a result of the collision.

Dr. Whong claims that the second Deputy negligently drove into the intersection against a red traffic signal and without properly clearing the intersection before entering it. The County claims that his wife, the driver of the vehicle in which Dr. Whong was riding, was partially at fault, because she failed to yield to an emergency vehicle.

Due to the risks and uncertainties of litigation, the Sheriff's Department proposes a full and final settlement of this case as to Dr. Whong in the amount of \$42,500.

PAID ATTORNEY FEES, TO DATE	\$39,867
PAID COSTS, TO DATE	\$6,898



## Summary Corrective Action Plan

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Date of incident/event:	<p><b><u>Phillip L. Whong v. County of Los Angeles, et al.</u></b>                  (Summary Corrective Action Plan #2008-010)</p> <p>Saturday, July 30, 2005; 11:14 p.m.</p>
Briefly provide a description of the incident/event:	<p>On Saturday, July 30, 2005, at approximately 11:14 p.m., two uniformed Los Angeles County deputy sheriffs were driving standard black and white patrol vehicles south on 30<sup>th</sup> Street West, Lancaster. Both vehicles were being operated with their emergency lights and siren activated.</p> <p>As the deputy sheriffs approached the intersection of 30<sup>th</sup> Street West and Avenue K, the first deputy sheriff entered the intersection and positioned her patrol vehicle at the left side of the southbound travel lanes in an attempt to alert westbound traffic to the presence of the second southbound patrol vehicle. Believing the first deputy sheriff had successfully stopped all westbound vehicular traffic, the second deputy sheriff entered the intersection against a red light without stopping. The plaintiff's vehicle, traveling west on Avenue K at a speed of approximately 45 miles per hour, entered the intersection with 30<sup>th</sup> Street West and was struck by the second patrol vehicle.</p>

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

The plaintiff, who was seated in the right front passenger seat at the time of the collision, asserts the second deputy sheriff caused the traffic collision by (negligently) failing to ensure the intersection of 30th Street West and Avenue K was clear of vehicular traffic before proceeding. The plaintiff also contends the County of Los Angeles is vicariously liable for the deputy sheriff's negligence. The County of Los Angeles contends the plaintiff's wife, the driver of his vehicle, is partially culpable as a result of her failure to yield to the first patrol car and its activated emergency lights and siren.

As a result of the collision, the plaintiff sustained a fractured left rib, soft tissue injury around the spine, bruising and swelling to the right shoulder, and hypertension. He was treated at the scene and ultimately transported to a local hospital where he was admitted for observation (one night). He continues to experience residual shoulder pain, but will not require surgery.

The plaintiff also claims damages for lost earnings. His vehicle was a total loss. His wife was uninjured.

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)

This is a case of adverse, but shared, liability.

Pursuant to California Vehicle Code Section 17004, a public employee who is operating an authorized emergency vehicle in the line of duty while responding to an emergency call is immunized from liability for injuries caused by such operation. California Vehicle Code Section 17001, however, holds the public entity liable for injuries caused by the employee's negligent operation of the motor vehicle. While an employee driving an emergency vehicle with lights and siren to an emergency call is exempt from certain traffic laws, California Vehicle Code Section 21807 nevertheless requires the employee to drive with due regard for the safety of all persons using the highway. The Los Angeles County Sheriff's Department's Manual of Policy and Procedures conforms to this driving standard.

This incident was thoroughly investigated by the Los Angeles County Sheriff's Department. The Department's administrative review concluded the second deputy sheriff violated established policies and/or procedures. Appropriate administrative action against the deputy sheriff was taken.


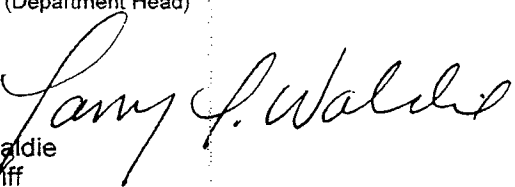
A full and final settlement at this time will avoid further litigation expenses and a potential jury verdict which may exceed the recommended settlement amount.

**RECOMMENDED SETTLEMENT AMOUNT: \$42,500.**

This summary corrective action plan has no countywide implications (refer to #3 below).

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 Branch for assistance)

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

Signature: (Risk Management Coordinator)  David J. Long, Captain Risk Management Bureau	Date:  6-25-08
Signature: (Department Head)  Larry L. Waldie Undersheriff	Date:  06-25-08

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Eva Loza and Griselda Maldonado v. County of Los Angeles
CASE NUMBER	BC 354078
COURT	Los Angeles Superior Court Central District
DATE FILED	June 30, 2006
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$762,500, plus the assumption of Medi-Cal lien in the amount of \$226,327.
ATTORNEY FOR PLAINTIFF	Philip Michels, Esq.
COUNTY COUNSEL ATTORNEY	Richard Mason
NATURE OF CASE	<p>This is a medical malpractice case brought by Eva Loza and her mother, Griselda Maldonado, for the injuries that they suffered while Griselda Maldonado was giving birth to her daughter, Eva Loza, at LAC+USC Medical Center.</p> <p>On July 4, 2005, Griselda Maldonado was taken to the delivery room at LAC+USC Medical Center to deliver her infant. Due to the size of the infant's abdomen, the delivery process became</p>

complicated. To assist the process of infant's delivery, the LAC+USC staff had to apply various obstetrical maneuvers, during which, the infant suffered injury to her arms.

Both Ms. Maldonado and her daughter Eva Loza brought a lawsuit against the County of Los Angeles contending that the LAC+USC staff were negligent when providing care to the plaintiffs.

Although the County will assert that the proper medical treatment was provided to the plaintiffs, considering the risks involved in a jury trial, including the potential exposure in this case, the Department of Health Services agreed to propose a settlement of this case in the amount of \$762,500, plus the assumption of Medi-Cal lien in the amount of \$226,327.

PAID ATTORNEY FEES, TO DATE	\$58,045
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PAID COSTS, TO DATE	\$49,962
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## Summary Corrective Action Plan



Date of incident/event:	July 4, 2005
Briefly provide a description of the incident/event:	Griselda Maldonado presented to LAC+USC Medical Center for delivery of a baby with abdominal ascites (fluid in the abdomen). The plan was for the attending physician to be present for the delivery, however when Ms. Maldonado was ready to deliver, the attending physician was performing a cesarean section on another patient. Although the nurse midwife notified the attending physician of the impending delivery, there was a miscommunication between them. The attending physician did not realize it was Ms. Maldonado that was ready to deliver. The nurse midwife encountered difficulties with the delivery resulting in the baby's right arm weakness. The baby also has developmental delays that have not been determined to be related to the birth.

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

Inadequate communication of the plan of delivery

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

- On July 2005, re-education of nursing staff on communication during emergency situations was held during staff meetings.
- On January 19, 2006 and October 28, 2007, Obstetric Emergency Drills were held.
- On May 18, 2007, a Noelle Simulator (Training system with manikin) was implemented. *A Noelle Obstetric simulator is computerized manikin that is programmed with multiple obstetrical and neonatal emergency or case scenarios including shoulder dystocia.*
- On May 25, 2007, the Obstetrics Faculty and house staff were educated on SBAR communication during Grand Rounds.

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 Branch for assistance)

☐ Potentially has County-wide implications.

☒ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).

☐ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) <i>[Signature]</i>	Date: 6/26/08
Signature: (Department Head) <i>[Signature]</i>	Date: 6-26-08

*R. Splawski* 6/30/08



## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Marcos Fernandez, et al. v. County of Los Angeles
CASE NUMBER	TC 018956
COURT	Los Angeles Superior Court South Central District
DATE FILED	May 18, 2005
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$850,000, plus assumption of Medi-Cal lien in the amount of \$56,294.
ATTORNEY FOR PLAINTIFF	Shirley Watkins, Esq.
COUNTY COUNSEL ATTORNEY	Richard Mason
NATURE OF CASE	<p>This is a medical malpractice case brought by Jenny Fernandez and her son, Marcos Fernandez, for the injuries that they suffered while Jenny Fernandez was receiving care at the Dollarhide Health Center ("DHC"), a County facility.</p> <p>On November 25, 2003, as a part of her ongoing care, Jenny Fernandez presented to DHC to receive a special medication to prevent pregnancy. Ms. Fernandez was in fact pregnant on that day but she was not aware.</p>

Since Jenny Fernandez had previously received contraceptive medications, the DHC staff did not perform tests to ensure that Jenny Fernandez was not pregnant at that time. Ms. Fernandez received her scheduled contraceptive medication and was sent home.

Ms. Fernandez went through the course of her pregnancy, and on May 17, 2004, while she was at home, she gave birth to her son, Marcos Fernandez.

Both Marcos Fernandez and Jenny Fernandez filed a lawsuit against the County claiming that the DHC staff were negligent in not performing a pregnancy test on November 25, 2003. The plaintiffs further claim that as a result of such negligent care, Jenny Fernandez did not know that she was pregnant and as such, did not receive prenatal care leading to injuries suffered by both Jenny and Marcos Fernandez.

While the County will assert that Jenny Fernandez should have known that she was pregnant, considering the risks involved in a jury trial, including the potential exposure in this case, the Department of Health Services agreed to propose a settlement of this case in the amount of \$850,000, plus assumption of Medi-Cal lien in the amount of \$56,294.

PAID ATTORNEY FEES, TO DATE	\$164,184.92
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PAID COSTS, TO DATE	\$46,535.73
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## Summary Corrective Action Plan



Date of incident/event:	May 17, 2004
Briefly provide a description of the incident/event:	Jenny Fernandez presented to Dollarhide Health Center on August 19, 2003, for birth control. After two consecutive negative pregnancy tests, she received Depo Provera. On November 25, 2003, she returned to the clinic for no menstrual flow, which is common with Depo Provera. Her uterus was enlarged and an ultrasound was ordered but was not done. Ms. Fernandez did not return for her scheduled Depo Provera injection in February 2004. On May 17, 2004, Ms. Fernandez partially delivered a baby at home. Ms. Fernandez maintains that she did not know she was pregnant.

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

- Failure to diagnose pregnancy on November 25, 2003.

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

- On March 19, 2008, through March 26, 2008, the policy for the process for ordering radiologic studies and follow up was reviewed with staff at Dollarhide Health Center and at Hubert H. Humphrey Comprehensive Health Center.

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 Branch for assistance)

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

Signature: (Risk Management Coordinator) <i>K. McKenrae</i>	Date: <i>6/26/08</i>
Signature: (Senior Medical Director) <i>R. Spawen</i>	Date: <i>6/30/08</i>
Signature: (Department Head) <i>W. J. [Signature]</i>	Date: <i>6-26-08</i>

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Ronald Verdekel, Estate of Heidi Verdekel, et al. v. County of Los Angeles
CASE NUMBER	CV 06-01518 JFW
COURT	U.S. District Court
DATE FILED	March 10, 2006
COUNTY DEPARTMENT	Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$595,000.00
ATTORNEY FOR PLAINTIFF	Sonia Mercado, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Deputy County Counsel (213) 974-1864
NATURE OF CASE	<p>This is a civil lawsuit brought by Ronald Verdekel, Laura Nielson, and the Estate of Heidi Verdekel, for the death of their 29-year-old daughter, Heidi Verdekel, who died on March 14, 2005.</p> <p>Ms. Verdekel, who had a long history of epileptic seizures, was arrested and taken into the custody of the Los Angeles County Sheriff's Department. She was placed at Twin Towers.</p>

While at the Twin Towers, she was evaluated and was placed on an anti-seizure medication. Ms. Verdekel, however, suffered from epileptic seizures and was subsequently transferred to LAC+USC Medical Center.

While at LAC+USC Medical Center, Ms. Verdekel's medical condition was complicated with infection. She died on March 14, 2005 at LAC+USC Medical Center.

Although the County will assert that the proper medical treatment was provided to Ms. Verdekel, the plaintiffs will argue that Ms. Verdekel's medical condition was not appropriately managed while she was under care of the County of Los Angeles. Thus, the Los Angeles County Sheriff's Department agreed to propose a settlement of this case in the amount of \$595,000.00. Specifically, the plaintiffs allege a violation of Ms. Verdekel's civil rights in that Sheriff personnel were deliberately indifferent to Ms. Verdekel's medical condition, by failing to monitor and treat her seizure condition, failing to provide her with proper and sufficient medications, and failing to transfer her to LAC+USC sooner.

PAID ATTORNEY FEES, TO DATE	\$251,900.00
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PAID COSTS, TO DATE	\$70,860.00
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## Summary Corrective Action Plan



Date of incident/event:	March 14, 2005
Briefly provide a description of the incident/event:	Heidi Verdekel was brought to LAC+USC from LASD on February 24, 2005, for treatment and evaluation of seizures. Efforts were made to control her seizures but she eventually required transfer to the ICU where she was intubated and a central venous catheter was placed. Despite medication, she continued to have seizures, but she eventually improved. However, she developed symptoms consistent with sepsis and despite aggressive treatment, Ms. Verdekel died on March 14, 2005.

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

- Failure to manage the inmate's/patient's medical condition.

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


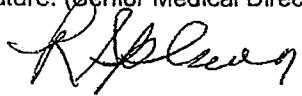

- On 6/21/05, 1/31/07 and 10/31/07 education was provided on the definition, mortality, systemic effects and treatment of patients in status epilepticus.
- On 5/22/07, 5/24/07 and 11/13/07 education was provided on "Surviving Sepsis, Getting to Goals".
- In September 2007 education was provided on the management of central venous catheters.
- On 12/31/07 a Failure Mode Effect Analysis Process Team completed a facility wide project to reduce central line infections using the following measures: hand hygiene, maximum sterile barrier, chlorhexidine skin antisepsis, optimal catheter site selection and daily review of central line site.

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 Branch for assistance)

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

County of Los Angeles  
Summary Corrective Action Plan

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Signature: (Risk Management Coordinator) 	Date: 6/26/08
Signature: (Senior Medical Director) 	Date: 7/3/08
Signature: (Department Head) 	Date: 7-3-08

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Document version: 2.0 (October 2007)

**CONFIDENTIAL** : The information contained in this document is privileged and strictly confidential under State Law, including Evidence Code Section 1157 relating to medical professional peer review documents and Government Code section 6254c relating to personnel records

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

June 16, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:07 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Roger Granbo, Lauren Black, Andrea Ross, Ed Lewis, and Stephen Morris; Department of Mental Health: Zoe Tractenberg; Los Angeles County Sheriff's Department: Patrick Hunter, Shaun Mathers, and Rob Taliento; Department of Children and Family Services: Jonathan Byers and Michelle Victor; Probation Department: Tracy Jordan-Johnson; Office of Affirmative Action Compliance: Hayward Harris; Department of Public Health: Raymond Low and Jim Day; Outside Counsel: Clay Averbuck, J. Peter Fiske, and Avi Burkwitz.

No members of the public addressed the Claims Board.

At 8:09 a.m., the Chairperson adjourned the meeting into closed session. At 10:45 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Todd Smith v. County of Los Angeles  
USDC Case No. CV 06-07479

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

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

**The vote of the Claims Board was unanimous with all members being present.**



- b. Arthur Lopez v. County of Los Angeles  
LASC Case No. BC 370 076

This lawsuit seeks compensation for injuries resulting from a dog bite by a Sheriff's Department police service dog.

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

**The vote of the Claims Board was unanimous with all members being present.**

- c. Juan C. v. County of Los Angeles  
LASC Case No. MC 014 972

This lawsuit concerns allegations of abuse of a dependent minor under the supervision of the Department of Children and Family Services.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$225,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.**

**The vote of the Claims Board was unanimous with all members being present.**

- d. Spencer B. v. William S. Hart Union High School and  
Los Angeles County Department of Mental Health  
Case No. N2007110747

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health.

**The Claims Board approved settlement of this matter in the amount of \$23,336.60.**

**The vote of the Claims Board was unanimous with all members being present.**

- e. Lee Rossum v. County of Los Angeles  
LASC Case No. BC 360 428

This lawsuit concerns allegations that an employee of the Probation Department was subjected to racial discrimination and retaliation.

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

**The vote of the Claims Board was unanimous with all members being present.**

- f. Annette Nita v. County of Los Angeles  
LASC Case No. BC 366 170

This lawsuit concerns allegations that an employee of the Department of Public Health was subjected to disability discrimination and that the Department failed to accommodate the employee's disability.

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$420,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Health's budget.**

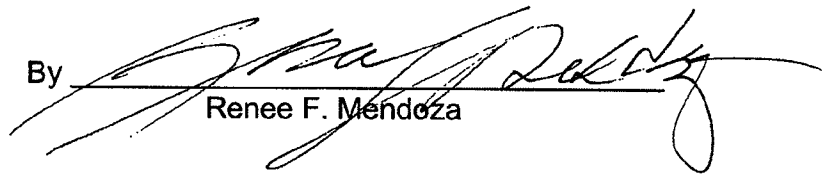
**The vote of the Claims Board was unanimous with all members being present.**

Minutes for the May 19, 2008, meeting of the Claims Board were approved.

There being no further business, the meeting was adjourned at 10:50 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza