

STATEMENT OF PROCEEDINGS
FOR THE SPECIAL 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
THURSDAY, JULY 14, 2011, AT 2:00 PM

Present: Chair John Naimo and John Krattli
Absent: Laurie Milhiser

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. **Lena Awad, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. TC 023 805

This lawsuit arises from treatment received by a patient while hospitalized at the Harbor/UCLA Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$475,000 plus the assumption of the Medi-Cal lien in the amount of \$22,418.86.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Documents](#)

**b. Federico Juarez v. County of Los Angeles, et al
Los Angeles Superior Court Case No. TC 023 957**

This lawsuit arises from injuries received from a slip and fall on a sidewalk in front of the Carson Sheriff's Station.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Documents](#)

**c. Bruce Vallerand, et al. v. County of Los Angeles
United States District Court Case No. CV 09-05057
DMG (VBKx)**

This lawsuit concerns allegations that the Sheriff's Department violated the Fair Labor Standards Act.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$60,000.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

**d. Mary Baltazar v. County of Los Angeles
Los Angeles Superior Court Case No. BC 391 690**

This lawsuit concerns allegations that an employee of the Sheriff's department was subjected to retaliation and failure to reasonably accommodate.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$48,500.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

e. **Rosa Paez v. County of Los Angeles**
Los Angeles Superior Court Case No. CV 056 374

This lawsuit arises from injuries sustained in a vehicle accident involving a Sheriff's patrol car; authority is requested to make a statutory offer.

Action Taken:

This item was taken off the Claims Board calendar.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

f. **Estate of David Joseph Levee, et al. v. County of Los Angeles**
United States District Court Case No. CV 10-1266 (SJO)

This lawsuit arises from the suicide of an individual in the custody of the Sheriff's Department.

Action Taken:

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

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Documents](#)

g. **Steven Arther v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. MC 020 952

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

Action Taken:

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

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Documents](#)

h. Claims of Carlos Ruelas, Elena Ruelas, and Solomon Zamora

These claims seek compensation for damage caused by a sewer back-up.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$57,500.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Documents](#)

i. Claim of Richard Michael Kaye

This claim concerns allegations of sexual assault and battery by an employee of the Department of Public Health; settlement is recommended in the amount of \$37,500.

Action Taken:

The Claims Board continued this item.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Document](#)

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 20, 2011, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – John Naimo, John Krattli
Absent: 1 – Laurie Milhiser

[See Supporting Document](#)

6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Leana Awad, et al. v. County of Los Angeles, et al.
CASE NUMBER	TC 023805
COURT	Los Angeles Superior Court - South Central District
DATE FILED	December 9, 2009
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$475,000 and assumption of the Medi-Cal lien in the amount of \$22,418.86
ATTORNEY FOR PLAINTIFF	Robert Stone, Esq. Stone, Dolginer & Wenzel
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian - Senior Deputy County Counsel
NATURE OF CASE	<p>On August 7, 2009, Leana Awad, a 6-year-old female, underwent a surgical procedure at Harbor/ UCLA Medical Center ("HUMC"). During the procedure, a complication occurred, and a blood vessel in the patient's neck area was injured.</p> <p>Leana Awad, through her Guardian Ad Litem, filed a medical malpractice case against the County of Los Angeles contending that the staff at HUMC performed the procedure negligently, thereby causing injuries to the plaintiff.</p>

In her lawsuit, the plaintiff seeks damages for future medical care and pain and suffering.

The County of Los Angeles proposes a settlement in the amount of \$475,000; as part of this settlement, the County of Los Angeles will also assume the Medi-Cal lien in the amount of \$22,418.86

PAID ATTORNEY FEES, TO DATE

\$50,298

PAID COSTS, TO DATE

\$25,271.90

Case Name: AWAD, LEANA



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:	August 7, 2009
Briefly provide a description of the incident/event:	On August 7, 2009, Leana Awad, a six year-old girl, underwent a surgical procedure at Harbor/UCLA Medical Center. During the procedure, a complication occurred and a blood vessel in the patient's neck area was injured.

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

Injury to a blood vessel during a surgical procedure.

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

- Appropriate personnel actions were done.
- An educational conference was held to discuss technique for the prevention of this type of complication.
- A system wide survey was conducted regarding resident procedural competency processes. All DHS facilities using residents have processes in place to track and document competency.

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)

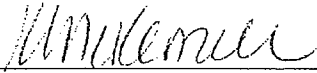
- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).

X Does not appear to have Countywide or other department(s) implications.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)
Kimberly McKenzie, RN, MSN, CPHQ

Signature:



Date:

5/3/11

Name: (Department Head)
Mitchell H. Katz, M.D.

Signature:



Date:

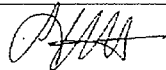
5/10/11

Chief Executive Office Risk Management Branch

Name:

LEO COSTANTINO

Signature:



Date:

5/3/11

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Federico Juarez vs. County of Los Angeles
CASE NUMBER	TC 023957
COURT	Los Angeles Superior Court South Central District
DATE FILED	January 14, 2010
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Matthew L. Bartholomew Law Offices of Matthew L. Bartholomew
COUNTY COUNSEL ATTORNEY	Vicki Kozikoujekian Principal Deputy County Counsel (213) 974-8208
NATURE OF CASE	<p>On July 7, 2008, Mr. Juarez slipped and fell in water due to a leaking pipe where there was algae build-up in front of the Carson Sheriff's station.</p> <p>Mr. Juarez alleges that the property was in a dangerous condition, because the County was aware of the leaking pipe and algae build-up.</p> <p>The County claims that Mr. Juarez walked on the sidewalk on his way into the station and should have noticed the water and thus excercised due care by avoiding it.</p>

Due to the risks and uncertainties of litigation, the Sheriff's Department proposes a full and final settlement of the case in the amount of \$200,000.

PAID ATTORNEY FEES, TO DATE	\$	27,652
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PAID COSTS, TO DATE	\$	11,397.76
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Case Name: Federico J. Juarez v. County of Los Angeles, 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:	Monday, July 7, 2008; approximately 9:00 a.m.
Briefly provide a description of the incident/event:	<p><u>Federico J. Juarez v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2011-008</p> <p>The plaintiff, Federico J. Juarez, alleged that on Monday, July 7, 2008, at approximately 9:00 a.m., he sustained serious physical injuries when he slipped and fell on a sidewalk adjacent to the public parking lot in front of the Los Angeles County Sheriff's Department's Carson Station.</p>

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

A public entity may be liable for injuries sustained as a result of known hazardous conditions existing or maintained on public property.

The investigation identified an accumulation of slippery algae on a small portion of the affected sidewalk adjacent to a previously unidentified leaking sprinkler.

2. Briefly describe recommended corrective actions:

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

The Los Angeles County Sheriff's Department had relevant protocols and/or policies and procedures in effect at the time of this incident.

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

This incident was investigated by representatives from the Los Angeles County Sheriff's Department's Carson Station. While there were no witnesses to the actual incident, the investigation nonetheless identified an accumulation of slippery algae on a small portion of the affected sidewalk adjacent to a previously unidentified leaking sprinkler. The leaking sprinkler was immediately repaired and the slippery algae was immediately removed.

While existing practice encouraged the station watch commander to monitor all areas of the facility for safety and safety-related hazards, no facility order or similar management directive required such an

activity. Moreover, the investigation also revealed that the affected area was not routinely inspected by the watch commander during the facility check.

As a result, representatives from Carson Station will develop a facility order or similar management directive requiring the watch commander to conduct a daily facility inspection. The inspection will include the visitor's parking lot and adjacent sidewalk(s). This facility order will be implemented by May 30, 2011.

In addition to the facility order referenced above, the Los Angeles County Sheriff's Department's Risk Management Bureau will disseminate a newsletter to all unit commanders 1) summarizing the circumstances of this case and, 2) requesting all unit commanders within the Los Angeles County Sheriff's Department to give consideration to developing a facility-specific order or similar management directive requiring daily safety inspections and a requirement to document the completion of the inspection in the facility's watch commander log (or similar instrument). This newsletter will be disseminated to all unit commanders by June 30, 2011.

Finally, existing Department policy will be revised to require all lieutenants and sergeants to monitor their work location for safety and safety-related hazards and take immediate remedial action, if appropriate. This revision will be implemented by June 30, 2011.


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.)

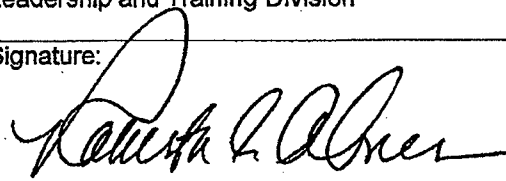
- ☒ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Does not appear to have Countywide or other department(s) implications.

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County of Los Angeles
Summary Corrective Action Plan

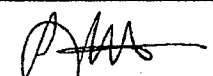
Los Angeles County Sheriff's Department

Name (Risk Management Coordinator): Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 3/31/11

Name (Department Head): Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 04/06/11

Stamp: CONTENTS E.B. SMITH NOTED 3/31/11

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 4/22/2011

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
RISK MANAGEMENT BUREAU

CORRECTIVE ACTION PLAN

Corrective Action Plan (CAP) Number: 2011-008CR

Lawsuit:

Name: **Federico J. Juarez v. County of Los Angeles, et al.**
Case/Docket Number: Los Angeles Superior Court No. TC 023957

Investigator: Deputy Richard W. Debruijn
Risk Management Bureau
Leadership and Training Division

Incident:

Date/Time: Monday, July 7, 2008; approximately 9:00 a.m.

Location: 21356 South Avalon Boulevard
Carson

Station, Bureau, or Facility: Carson Station
Field Operations Region II

Executive Summary:

The plaintiff, Federico J. Juarez, alleged that on Monday, July 7, 2008, at approximately 9:00 a.m., he sustained serious physical injuries when he slipped and fell on a sidewalk adjacent to the public parking lot in front of the Los Angeles County Sheriff's Department's Carson Station.

Risk Issue(s):

A public entity may be liable for injuries sustained as a result of known hazardous conditions existing or maintained on public property.

Administrative Review/Investigation:

Was a formal Risk Management Bureau (RMB) Critical Incident Analysis (CIA) conducted? No

Was another formal administrative review/investigation initiated? Yes

If yes, was discipline imposed or other appropriate administrative action taken? N/A

Was the employee's driving record reviewed as part of the administrative review? N/A

Policy Issues:

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

Training/Curriculum Issues:

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

Corrective Action:

Was a formal administrative review/investigation of the incident initiated? Yes

If yes, was appropriate administrative action taken? N/A

This incident was investigated by representatives from the Los Angeles County Sheriff's Department's Carson Station. While there were no witnesses to the actual incident, the investigation nonetheless identified an accumulation of slippery algae on a small portion of the affected sidewalk adjacent to a previously unidentified leaking sprinkler. The leaking sprinkler was immediately repaired and the slippery algae was immediately removed.

While existing practice encouraged the station watch commander to monitor all areas of the facility for safety and safety-related hazards, no facility order or similar management directive required such an activity. Moreover, the investigation also revealed that the affected area was not routinely inspected by the watch commander during the facility check.

CORRECTIVE ACTION PLAN #2011-008

FEDERICO J. JUAREZ V. COUNTY OF LOS ANGELES, ET AL.

PAGE THREE

As a result, representatives from Carson Station will develop a facility order or similar management directive requiring the watch commander to conduct a daily facility inspection. The inspection will include the visitor's parking lot and adjacent sidewalk(s). This facility order will be implemented by May 30, 2011.

In addition to the facility order referenced above, the Los Angeles County Sheriff's Department's Risk Management Bureau will disseminate a newsletter to all unit commanders 1) summarizing the circumstances of this case and, 2) requesting all unit commanders within the Los Angeles County Sheriff's Department to give consideration to developing a facility-specific order or similar management directive requiring daily safety inspections and a requirement to document the completion of the inspection in the facility's watch commander log (or similar instrument). This newsletter will be disseminated to all unit commanders by June 30, 2011.

Finally, existing Department policy will be revised to require all lieutenants and sergeants to monitor their work location for safety and safety-related hazards and take immediate remedial action, if appropriate. This revision will be implemented by June 30, 2011

Risk Review/Compliance Audit:

Will this corrective action plan (and/or implementation of any corrective action measures contained herein) require the notification to, or assistance from, other County of Los Angeles departments or public agencies? No

If yes, what is the name and title of the person contacted? N/A

How/when was the person contacted? N/A

Will a formal Risk Management Bureau audit be required? Yes

If yes, what is the date the audit will be performed? June 15, 2011

Name of person/unit performing audit? Lynne E. Hughes

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CORRECTIVE ACTION PLAN #2011-008

FEDERICO J. JUAREZ V. COUNTY OF LOS ANGELES, ET AL.

PAGE FOUR

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

Submitted: Shaun J. Mathers, Captain *SJM*
Risk Management Bureau

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

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

Signature: *Roberta A. Abner* Date: *04-06-11*

Concur: Larry L. Waldie, Undersheriff (contents noted): *LW*

Authorized: Paul K. Tanaka, Assistant Sheriff

Signature: *Paul K. Tanaka* Date: *4-11-11*

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Estate of David Joseph Levee, et al.
CASE NUMBER	CV 10-1266 (SJO)
COURT	United States District Court Central District
DATE FILED	4/23/2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 40,000.
ATTORNEY FOR PLAINTIFF	SARMIENTO, VICKI LAW OFFICES
COUNTY COUNSEL ATTORNEY	Ruben Baeza, Jr.
NATURE OF CASE	<p>Plaintiff Aurelia Chavez alleges that because Sheriff Deputies failed to summon timely medical and psychiatric attention for her son, David Joseph Levee, he committed suicide while in custody in men's central jail on 01/20/2009.</p> <p>The Sheriff's Department contends that they properly classified, housed, and supervised Mr. Levee and that his suicide was not preventable.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the</p>

amount of \$40,000 is
recommended.

PAID ATTORNEY FEES, TO DATE	\$	130,425.00
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PAID COSTS, TO DATE	\$	250.00
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Case Name: The Estate of David J. Levee, et al. v. County of Los Angeles, 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:	January 20, 2009; approximately 6:34 a.m.
Briefly provide a description of the incident/event:	<p><u>Estate of David J. Levee, et al. v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2011-011</p> <p>On Tuesday, January 20, 2009, at approximately 6:34 a.m., David J. Levee committed suicide in a jail cell while incarcerated in the Los Angeles County Sheriff's Department's Men's Central Jail.</p>

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

While incarcerated in the Los Angeles County Sheriff's Department's Men's Central Jail, David J. Levee committed suicide by hanging himself from a shower rod in the shower stall of his jail cell.

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

The Los Angeles County Sheriff's Department had relevant policies and procedure/protocols in effect at the time of this incident.

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

Representatives from the Los Angeles County Sheriff's Department's Custody Support Services conducted a thorough administrative investigation. Their investigation revealed no employee misconduct. Consequently, no employee-related corrective action measures are contemplated nor recommended.

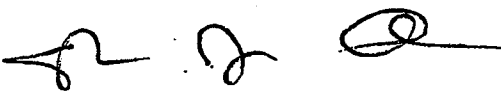
Following this incident, however, Custody Support Services staff facilitated the replacement of shower curtain rods in similarly-configured rooms with plastic hooks. The plastic hooks are designed to withstand a limited amount of downward pressure before they release. The retrofitting program has been completed.

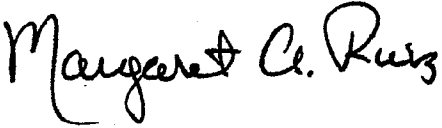
County of Los Angeles
Summary Corrective Action Plan

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).

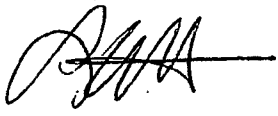
- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 6/13/11

Name: (Department Head)	
Margaret A. Ruiz, Acting Chief Leadership and Training Division	
Signature: 	Date: 06-15-11

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 7/8/2011

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Steven Arther v. County of Los Angeles, et al.
CASE NUMBER	MC020952
COURT	Los Angeles County Superior Court, Antelope Valley Courthouse
DATE FILED	October 16, 2009
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 30,000.00
ATTORNEY FOR PLAINTIFF	Jack L. Mattingly, Esq.
COUNTY COUNSEL ATTORNEY	Liliana Campos
NATURE OF CASE	<p>This matter involves a motor-vehicle accident. Plaintiff Steven A. Arther ("Plaintiff") alleges that he was injured in a two-car collision with a vehicle driven by a County employee on May 20, 2008, in a bank parking lot, located at the intersection of 12th Street and Avenue K in the City of Lancaster. The County employee was in the process of exiting the parking lot attempting to make a left hand turn, when he realized there was a median in the roadway. He subsequently decided to reverse back into the parking lot striking the front of plaintiff's vehicle was stopped directly behind him.</p>

Plaintiff contends that he suffered severe soft tissue injuries, headaches, hearing loss, nasal septal deviation, and a re-aggravation of past injuries (left blown eye socket, constant nose bleeds etc.) in addition to vehicle damage as a result of the accident. Through the litigation, the County has contended that Plaintiff suffered nothing more than minor soft-tissue injuries.

Plaintiff's medical specials total \$25,457. Plaintiff also claims his property damage to be \$1,000 (the cost of his collision deductible).

Plaintiff is not making a claim for lost wages or loss of earnings capacity as a result of the accident.

Due to the uncertainties of trial, the evidence pointing to County liability, the cost of preparing the case for trial and the potential exposure to an adverse verdict, the County engaged in settlement negotiations with the plaintiff, mediated by Judge Randolph Rogers, resulting in the recommended settlement.

PAID ATTORNEY FEES, TO DATE	\$	89,466.33
PAID COSTS, TO DATE	\$	19,767.67

Case Name: Steven Arther Vs. COLA



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:	May 20, 2008
Briefly provide a description of the incident/event:	On May 20, 2008, Mr. Steven A. Arther was stopped behind a County vehicle when our driver backed into Mr. Arther's vehicle. Mr. Arther alleges he sustained physical injury, reaggravation of previous injuries, and property damage as a result of the incident.

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

According to our Report of Vehicle Accident or Incident, our employee was in the process of exiting a bank parking lot when he realized there was a median in the roadway. Our driver subsequently decided to reverse back into the parking lot to attempt to exit on the west side of the lot. As he put the County vehicle into reverse, he backed into the claimant's vehicle, which was located directly behind the County truck.

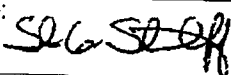
County of Los Angeles
Summary Corrective Action Plan


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

The matter was reviewed by Public Works' Automotive Safety Committee on July 10, 2008. The committee found the incident to be preventable and the employee was issued a written warning on July 24, 2008. Our driver was also scheduled to attend the Defensive Drivers Training Course, which was completed on August 21, 2008.


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)

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

Name: (Risk Management Coordinator) Steven G. Steinhoff	
Signature: 	Date: 9/13/10

Name: (Director) Gail Farber	
Signature: 	Date: 10-4-10

Chief Executive Office Risk Management

Name: LEO COSTANTINO	
Signature: 	Date: 6/17/2011

MOL:psr
P4:SCAP ARTHUR1

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME Claims of Carlos Ruelas, Elena Ruelas,
and Solomon Zamora - Non-litigated
Claims

CASE NUMBER Not Applicable

COURT Not Applicable

DATE FILED Claim Presented September 15, 2008

COUNTY DEPARTMENT Department of Public Works – Branch
Sewer Maintenance

PROPOSED SETTLEMENT AMOUNT \$57,500.00 (Including \$12,228.94
advanced payment to vendor)

ATTORNEY FOR PLAINTIFF None

COUNTY COUNSEL ATTORNEY Robert B. Reagan
Principal Deputy County Counsel

(213) 974-1203

NATURE OF CASE

This is a claim presented by Carlos Ruelas, Elena Ruelas, and Solomon Zamora seeking compensation for damages to their home and personal property caused by a sewer back-up.

The main sewer line at this location is included in the Consolidated Sewer Maintenance District which is maintained by the County. It is undisputed that tree roots between Manhole numbers 300 and 318 caused a stoppage in the main line and that wastewater backed-up into claimants' residence through the lateral line.

The Office of the County Counsel join our third-party administrator, Carl Warren & Company in recommending settlement of this lawsuit in the amount of \$57,500. The Department of Public Works concurs in this settlement recommendation.

PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 300.00

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.

Claim:	Carlos and Elena Ruelas
Date of incident/event:	September 17, 2008
Briefly provide a description of the incident/event:	This claim is the result of a sewer backup that occurred on September 17, 2008. The main sewer line located on 9th Street in the unincorporated area of Hacienda Heights, became blocked due to roots. Sewer Maintenance Division (SMD) was notified of the matter, and a maintenance crew responded to the location. Upon arrival, SMD observed that sewage was overflowing out of Manhole No. 318 of Sewer District Map E-2172. The crew also observed sewage overflow from the plumbing fixtures onto the bathroom, hallway, kitchen, and living room floors of claimant's home at 15003 Walbrook Drive.

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

The cause of the sewer back up was due to a root stoppage in the County-maintained sewer line.

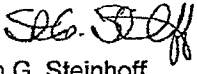
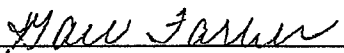
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

To prevent recurrence of the root stoppages and flood-outs, the main sewer line was placed on a quarterly rodder periodic schedule. The line will also continue to be inspected under the semi-annual preventative maintenance inspection program. A notice was also delivered to 15003 Walbrook Drive, advising the residents to install a backflow valve on their private sewer lateral and to maintain the backflow in a safe and sanitary condition.

County of Los Angeles
Summary Corrective Action Plan

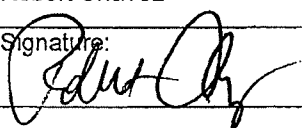
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- ☐ Potentially has Countywide 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 Countywide or other department implications.

Signature: (Risk Management Coordinator)  Steven G. Steinhoff	Date: 4-20-10
Signature: (Director) Gail Farber 	Date: 4-29-10

CMC:psr
P4:1RUELAS SCAP1

Chief Executive Office Risk Management

Name: Robert Chavez	
Signature: 	Date: 5-07-10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Richard Michael Kaye
CASE NUMBER	N/A
COURT	N/A
DATE FILED	July 9, 2010
COUNTY DEPARTMENT	Department of Public Health Environmental Health Division
PROPOSED SETTLEMENT AMOUNT	\$ 37,500
ATTORNEY FOR PLAINTIFF	Thomas Wall, Esq.
COUNTY COUNSEL ATTORNEY	Andrea E. Ross
NATURE OF CASE	<p>On January 7, 2010, Lorenzo Castillo, a DPH Health Inspector allegedly sexually assaulted the owner of Koda Sushi in Los Angeles during a routine monthly inspection of the establishment.</p> <p>On July 9, 2010, Mr. Kaye filed a Claims for Damages against Lorenzo Castillo, the County of Los Angeles ("County"), and Mr. Castillos' supervisors, alleging violation of civil rights under color of authority, and sexual assault and battery.</p>

PAID ATTORNEY FEES, TO DATE	\$ 0.00
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PAID COSTS, TO DATE	\$ 0.00
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COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

June 20, 2011

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:34 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: John Naimo, John Krattli and Laurie Milhiser.

Other persons in attendance at the meeting were: Office of the County Counsel: Millicent Rolon, Paul Hanson, Brandon Nichols, Joyce Aiello, Stacey Lee, Robert Reagan, and Eduardo Montelongo; Sheriff's Department: Lt. Pat Hunter; Probation Department: Tracy Jordan-Johnson; Department of Public Works: Michael Hays; Department of Health Services: David Cochran, Edgar Soto, Michelle Merino, Shawn McGowan, and Bonnie Bilitch; Department of Children and Family Services: Michelle Victor and Carmen Abbot; Fire Department: Kathleen Zelenski and Garth Canning; Office of Affirmative Action: William Richardson; Outside Counsel: David Weiss and Tomas Guterres.

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 9:38 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(h) below.

4. Report of actions taken in Closed Session.

At 1:04 p.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. Chelsea K. and Drew C. v. County of Los Angeles Los Angeles Superior Court Case No. BC 386 729

This lawsuit concerns allegations of false arrest by the Sheriff's Department.

Action Taken:

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

Vote: Unanimously carried
Absent: None

b. **Quincy Crow v. County of Los Angeles**
United States District Court Case No. CV 10-3306

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$42,500.

Vote: Unanimously carried
Absent: None

c. **Desmond Holland v. County of Los Angeles**
Los Angeles Superior Court Case Nos. BC 442 986 and BC 451 435

These lawsuits concern allegations that a minor was assaulted by a Detention Services Officer while under the supervision of the Probation Department at the Eastlake Juvenile Detention Center.

Action Taken:

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

Vote: Unanimously carried
Absent: None

d. **Damon Construction Co. v. County of Los Angeles**
Los Angeles Superior Court Case No. KC 058 247

This lawsuit arises from the County's alleged underpayment for "unclassified excavation" on a sidewalk construction project.

Action Taken:

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

Vote: Unanimously carried
Absent: None

e. **Emily Walker v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 429 858

This lawsuit concerns allegations that an enrollee at the Fire Department's Ocean Lifeguard Academy was subjected to discrimination.

Action Taken:

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

Vote: Unanimously carried
Absent: None

f. **Ayax Guillermo Pinon v. County of Los Angeles**
Los Angeles Superior Court Case No. LC 090 303

This lawsuit seeks compensation for personal injuries sustained in a motor vehicle accident involving an employee of the Department of Children and Family Services.

Action Taken:

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

Vote: Unanimously carried
Absent: None

g. **Blanca Meraz v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 418 022

This lawsuit concerns allegations that an employee of the Department of Health Services was subjected to discrimination, harassment, and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$180,000.

Vote: Ayes: 2 – John Krattli and Laurie Milhiser
Abstentions: 1 – John Naimo

**h. Tamara Moreland v. County of Los Angeles
Los Angeles Superior Court Case No. BC 433 393**

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

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$425,000.

Vote: Unanimously carried
Absent: None

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 6, 2011, meeting of the Claims Board and the June 13, 2011, special meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Unanimously carried
Absent: None

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.

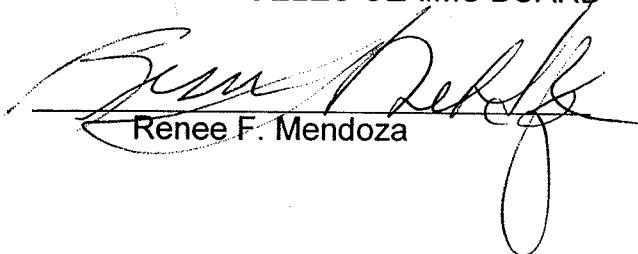
No such matters were discussed.

7. Adjournment.

The meeting was adjourned at 1:10 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By


Renee F. Mendoza