

**STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING
OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
ON
MONDAY, AUGUST 19, 2013, AT 9:30 AM**

Present: Chair John Naimo, Steve Robles, and Patrick Wu

- 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. Anthony Fernandez v. County of Los Angeles
Los Angeles Superior Court Case No. TC 025 729**

This medical negligence lawsuit arises from injuries sustained 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 \$200,000 plus waiver of the County's medical bills in the estimated amount of \$4,205.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

[See Supporting Documents](#)

b. Claim of Hendrickson Trucking, Inc.

This claim seeks compensation for property damaged in an automobile accident with a Public Library vehicle.
(Continued from the regular meeting of August 5, 2013.)

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$28,316.51.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Pat Wu

[See Supporting Documents](#)

**c. Gerald Long, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. YC 067 597**

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

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steve Robles, and Pat Wu

[See Supporting Documents](#)

**d. Robert Herrera, et al. v. Los Angeles County Sheriff's Department, et al.
Los Angeles Superior Court Case No. VC 060 635**

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$49,999.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Pat Wu

[See Supporting Documents](#)

e. **Evans Tutt v. County of Los Angeles, et al.**
United States District Court Case No. CV 11-06126 SJO

This lawsuit concerns allegations of excessive force and federal and State civil rights violations.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$400,000.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

[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 of the August 5, 2013, meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

[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	Anthony Fernandez v. County of Los Angeles
CASE NUMBER	TC 025729
COURT	Los Angeles Superior Court - South Central District
DATE FILED	September 23, 2011
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$200,000, plus waiver of the County's medical bills in the estimated amount of \$4,205.
ATTORNEY FOR PLAINTIFF	Richard M. Katz, Esq. Law Offices of Richard M. Katz
COUNTY COUNSEL ATTORNEY	Narbeh Bagadasarian Senior Deputy County Counsel
NATURE OF CASE	<p>On December 10, 2010, Anthony Fernandez, had an injury whereby the fifth digit in his left hand sustained nerve and muscle damages.</p> <p>Mr. Fernandez presented to Harbor-UCLA Medical Center ("HUMC"). He received several treatments and underwent several surgical procedures.</p> <p>Mr. Fernandez later filed a civil action against the County of Los Angeles and providers at HUMC contending that the medical care at HUMC was negligent, and as a result, he suffered deformity and limitation of movement of his left hand.</p>

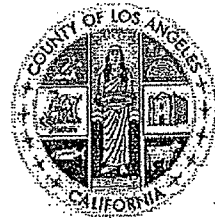
PAID ATTORNEY FEES, TO DATE

\$50,074

PAID COSTS, TO DATE

\$8,495

Case Name: Fernandez, Anthony #3570



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:	December 21, 2010
Briefly provide a description of the incident/event:	<p>On December 10, 2010, Anthony Fernandez had an injury whereby the fifth digit in his left hand sustained nerve and muscle damages.</p> <p>Mr. Fernandez presented to Harbor-UCLA Medical Center ("HUMC"). He received several treatments and underwent several surgical procedures.</p> <p>Mr. Fernandez later filed a civil action against the County of Los Angeles and providers at HUMC contending that the medical care at HUMC was negligent, and as a result, he suffered deformity and limitation of movement in his left hand.</p>

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

Permanent damage to tendon in the hand resulting from pre-mature splint removal.

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

- All appropriate personnel actions have been taken.
- Splinting guidelines for tendon injuries was shared with new residents.
- A survey regarding the practice of splinting hand tendon injuries was conducted. All of the other DHS Hospitals that manage tendon injuries in the hand indicated that they are using similar guidelines for treatment.
- A system-wide email blast regarding the behavioral expectations of staff was administered.

3. Are the corrective actions addressing department-wide system issues?

- ☒ Yes – The corrective actions address department-wide system issues.
- ☐ No – The corrective actions are only applicable to the affected parties.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) <i>A Patel (ARON R. Patel)</i>	
Signature: <i>[Signature]</i>	Date: <i>5/29/13</i>

Name: (Department Head) <i>Mitchell Katz, MD</i>	
Signature: <i>[Signature]</i>	Date: <i>5/29/13</i>

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) <i>LEO COSTANTINO</i>	
Signature: <i>[Signature]</i>	Date: <i>5-9-13</i>

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Unlitigated Claim of Hendrickson Trucking, Inc.
CASE NUMBER	N/A
COURT	N/A
DATE FILED	February 23, 2011
COUNTY DEPARTMENT	Public Library
PROPOSED SETTLEMENT AMOUNT	\$ 28,316.51
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>This is a claim alleging motor vehicle negligence for a multi-vehicle accident which occurred on February 1, 2011, on the eastbound Interstate-210 Freeway. Hendrickson Trucking, Inc., owner of the tractor-trailer rig involved in the incident, claims damages for repair costs and the associated loss of use costs.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of this claim in the appropriate amount of \$28,316.51 is recommended.</p>

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	0
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Case Name: 22-1086956*001 Hendrickson Trucking



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:	February 1, 2011
Briefly provide a description of the incident/event:	<p>Trung Xa, Senior General Maintenance Worker, has been an employee of the County of Los Angeles County Public Library since December 3, 2001. On February 1, 2011, he was driving a County owned pick-up truck headed eastbound on the I-210 Fwy. According to Mr. Xa, he hit a dip in the road that caused his vehicle to swerve into Steven Mead's (Claimant), Hendrickson Trucking, vehicle resulting in a multi-vehicle collision as follows:</p> <ol style="list-style-type: none">1. Mr. Xa was driving in lane #4 when he swerved and struck the right side of Claimant's vehicle in lane #3.2. Claimant's vehicle was pushed into lane #2 where he collided into the rear of a second L.A. County Public Library owned vehicle.3. Claimant's vehicle continued across lanes #2 and #1 and came to rest in a dirt embankment. <p>Mr. Xa has no prior or subsequent vehicle accidents.</p>

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

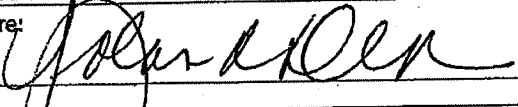
According to California Highway Patrol (CHP) Report # 2011.02.009, Mr. Xa made an unsafe lane change resulting in a collision with the Claimant's truck.


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

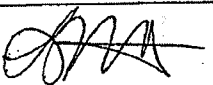
- The Library has participated in the DMV- Employer Pull Notice Program for more than 10 years. Human Resources (HR) and Facilities staff are responsive for providing new hires, transferring, and newly promoted employees in designated positions the Authorization for Release of Driver Record Information. HR staff is responsible for monitoring DMV notices.
- In August 2011, HR staff reviewed positions required to drive on County business and determined the Library's Information Technology (IT) staff needed to be enrolled in the DMV - Employer Pull Notice Program. IT staff names were submitted on August 30, 2011.
- Effective September 29, 2011, the Library's Safety Officer implemented Vehicle Accident Review (VAR) Procedures that included a VAR committee and guidelines for disciplinary action.
- Effective January 2012, Defensive Driving Training would no longer be offered only once a year. The Library's Safety Officer is responsible for scheduling the training as needed, such as following a recommendation from the VAR Committee as part of an employee's corrective action or for new hires.
- Mr. Xa received the following disciplinary action:
 - On February 8, 2011 he received a Confirmation of Counseling and was reissued copies of Departmental Safety policies and procedures
 - Attended Defensive Driving Training on January 12, 2012

County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?
- ☒ Yes – The corrective actions address department-wide system issues.
- ☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Yolanda De Ramus	
Signature: 	Date: 5/28/2013

Name: (Department Head)	
Margaret Donnellan Todd	
Signature: 	Date: 5/28/2013
Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	

Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature: 	Date: 6/10/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gerald Long, et al. v. County of Los Angeles, et al.
CASE NUMBER	YC067597
COURT	Los Angeles County Superior Court
DATE FILED	August 7, 2012
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Michael D. Waks
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision on November 21, 2011, at the intersection of Van Ness Avenue and 119 th Street in Hawthorne, when a Sheriff's Deputy collided with a vehicle driven by Shawn Smith. Gerald Long was a passenger in Mr. Smith's vehicle. Mr. Smith and Mr. Long claim they sustained injuries as a result of the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 3,735.60
PAID COSTS, TO DATE	\$ 0

Case Name: Gerald Long, 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:	Monday, November 21, 2011; approximately 11:10 p.m.
Briefly provide a description of the incident/event:	<p><u>Gerald Long, et al. v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-015</p> <p>On Monday, November 21, 2011, at approximately 11:10 p.m., a Los Angeles County deputy sheriff, assigned to the Los Angeles County Sheriff's Department's South Los Angeles Station, was driving a standard black and white, County-owned patrol vehicle east on 119th Street, Los Angeles, when the vehicle he was driving collided with the plaintiff's vehicle in the intersection with Van Ness Avenue (unincorporated Los Angeles County).</p>

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

This traffic collision was thoroughly investigated by representatives from the California Highway Patrol and the Los Angeles County Sheriff's Department's South Los Angeles Station. Their investigations concluded the deputy sheriff caused the traffic collision by violating California Vehicle Code section 22450, Stop Requirements.

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 procedures/protocols in effect at the time of the incident.

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


This incident was thoroughly reviewed by representatives from the California Highway Patrol and the Los Angeles County Sheriff's Department's South Los Angeles Station. As a result, appropriate administrative action was imposed upon one Los Angeles County deputy sheriff.


County of Los Angeles
Summary Corrective Action Plan


3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Judy A. Gerhardt, Acting Captain Risk Management Bureau	
Signature: 	Date: 7/9/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 7/15/13

Chief Executive Office Risk Management Inspector General USE ONLY Are the corrective actions applicable to other departments within the County? <input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO COSTANTINO	
Signature: 	Date: 8/5/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Robert Herrera, et al. v. Los Angeles County Sheriff's Department., et al.
CASE NUMBER	VC060635
COURT	Torrance Superior Court
DATE FILED	March 13, 2012
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 49,999
ATTORNEY FOR PLAINTIFF	Matthew C. Stoll Stoll, Nussbaum & Polakov, APC
COUNTY COUNSEL ATTORNEY	Liliana Campos Deputy County Counsel
NATURE OF CASE	<p>This case arises out of a November 28, 2011, lane-change collision (the "Accident") between plaintiff Robert Herrera and a Deputy Sheriff at or near the intersection of State Street and Hill Street in Huntington Park. The plaintiffs include Robert Herrera, and his minor daughter Celissa Herrera (collectively "Plaintiffs").</p> <p>Plaintiffs allege that the Deputy Sheriff, drove negligently and caused the Accident. The County disputes Plaintiffs' claims and liability.</p>

Due to the uncertainties of litigation, and the potential that a jury may award a verdict that could exceed the proposed settlement, a full and final settlement of \$30,000 to Robert Herrera and \$19,999 to Celissa Herrera is recommended.

PAID ATTORNEY FEES, TO DATE	\$	142,101
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PAID COSTS, TO DATE	\$	88,052
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Case Name: Robert Herrera, et al. v. Los Angeles County Sheriff's Dept., 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, November 28, 2011; approximately 12:17 p.m.
Briefly provide a description of the incident/event:	<p><u>Robert Herrera v. County of Los Angeles Sheriff's Dept., et al.</u> Summary Corrective Action Plan No. 2013-020</p> <p>On Monday, November 28, 2011, at approximately 12:17 p.m., a Los Angeles County deputy sheriff was driving an unmarked County of Los Angeles-owned vehicle north on State Street, south of Hill Street, Huntington Park, when the vehicle he was driving collided with the plaintiff's vehicle.</p>

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

This traffic collision was thoroughly investigated by representatives from the Los Angeles County Sheriff's Department and the Huntington Park Police Department. Their investigations concluded that the deputy sheriff caused the traffic collision by violating California Vehicle Code section 22107, Turning Movements and Required Signals.

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 procedures/protocols in effect at the time of the incident.

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

The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.


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County of Los Angeles
Summary Corrective Action Plan

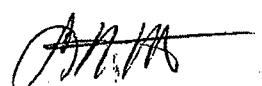
3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Judy A. Gerhardt, Captain Risk Management Bureau	
Signature: 	Date: 7/16/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 7/22/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO COSTANTINO	
Signature: 	Date: 8/5/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Evans Tutt v. County of Los Angeles, et al.
CASE NUMBER	CV 11-06126 SJO
COURT	United States District Court
DATE FILED	Complaint filed: July 25, 2011 Claim: January 6, 2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 400,000
ATTORNEY FOR PLAINTIFF	Michael Seplow, Esq. Schonbrun Desimone Seplow Harris & Hoffman, LLP John Raphling, Esq. Law Offices of John Raphling
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	This is a recommendation to settle for \$400,000, the lawsuit filed by Plaintiff Evans Tutt against the County, Sheriff Baca and six Sheriff's Deputies alleging federal and State civil rights violations, assault, battery, negligence and negligent hiring and training during an incident involving a routine search at Men's Central Jail.

Mr. Tutt alleges that Deputies, without probable cause, used excessive force against him.

The Deputies contend that they acted reasonably under the circumstances in light of Mr. Tutt's assaultive behavior; however, because of the potential for high exposure, and the uncertainties of litigation, a full and final settlement of the case in the amount of \$400,000 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	210,555
PAID COSTS, TO DATE	\$	30,675

Case Name: Evans Tutt 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:	Sunday, July 26, 2009, approximately 7:25 p.m.
Briefly provide a description of the incident/event:	<p><u>Evans Tutt v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-014</p> <p>On Sunday, July 26, 2009, at approximately 7:25 p.m., the plaintiff returned to his jail housing area from the jail visiting room. A deputy sheriff began a standard cursory search of the plaintiff before the plaintiff could be readmitted to his housing area. The plaintiff, without warning or provocation, initiated a violent altercation by attacking the deputy sheriff with his left elbow.</p> <p>The deputy sheriff reacted by deploying a TASER weapon. Three additional deputy sheriffs arrived and the plaintiff was subsequently restrained and ultimately handcuffed.</p>

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

In his lawsuit, the plaintiff alleged he was subjected to unreasonable force by members of the Los Angeles County Sheriff's Department.

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 procedures/protocols in effect at the time of the incident.

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

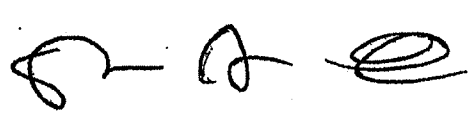
This incident was thoroughly reviewed by representatives from the Los Angeles County Sheriff's Department's Men's Central Jail. Their review found that the physical force used by the deputy sheriffs to overcome the resistance offered by the plaintiff was reasonable, necessary, and in compliance with Department policy.


The incident also was reviewed by representatives from the Los Angeles County Sheriff's Department's Internal Affairs Bureau. No systemic issues were identified, and no employee misconduct is suspected. Consequently, no personnel-related administrative action was taken and no other corrective action measures are recommended nor contemplated.


County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?
- ☐ Yes – The corrective actions address department-wide system issues.
- ☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 6/26/13

Name: (Department Head)	
Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 6/28/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature: 	Date: 7/30/13

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

August 5, 2013

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Steve Robles, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Jessie Lee, Takin Khorram, Eva Vera-Morrow, Joanne Nielsen, Millicent Rolon, Roger Granbo, and Liliana Campos; Department of Public Works: Michael Hays and Craig David; Department of Children and Family Services: Michelle Victor and Brandon Nichols; Department of Health Services: Karen White and Edgar Soto; Sheriff's Department: Lt. Patrick Hunter and Sgt. Bruce Cantley; Department of Parks and Recreation: Anush Gambaryan; Outside Counsel: David Weiss.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

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 9:33 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 11:57 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. **Claim of Nationwide a/s/o Jack Schneider**

This claim seeks compensation for damages to its insured's real property caused by a ruptured water main line which is maintained by the Department of Public Works.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$36,276.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

b. **Alfonso W. Fierro, et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 12-03301 DSF (JCx)

This lawsuit alleges a violation of civil rights arising from an improper investigation of suspected child abuse conducted by the Department of Children and Family Services

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$275,000.

Vote: Ayes: 2 – John Naimo and Steve Robles
Abstentions: 1 – Patrick Wu

c. **Guadalupe Alfaro v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. NC 057 414

This dangerous condition lawsuit arises from injuries received in a trip and fall on a walkway leading to a County health facility.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

d. **James Parker v. County of Los Angeles, et al.**
United States District Court Case No. CV 12-0064

This lawsuit concerns allegations of excessive force by Sheriff's Deputies on an incarcerated inmate.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

e. **Jennie Santillan v. County of Los Angeles, et al.**
United States District Court Case No. CV 11-7859

This lawsuit concerns allegations that the Sheriff's Department violated an inmate's federal civil rights and rights under the Americans with Disabilities Act during her incarceration by not accommodating her disability.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

f. **K.L. by her Guardian ad Litem, et al. v. City of Glendale, et al.**
United States District Court Case No. CV 11-08484 ODW

This lawsuit concerns allegations against the Probation Department for the unlawful detention of minors.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$32,500.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

g. Claim of Hendrickson Trucking, Inc.

This claim seeks compensation for property damaged in an automobile accident with a Public Library vehicle; settlement is recommended in the amount of \$28,316.51.

Action Taken:

The Claims Board continued this matter.

**h. Elsie Mendoza v. County of Los Angeles
Los Angeles Superior Court Case No. VC 061 113**

This dangerous condition lawsuit arises from injuries received in a slip and fall on a walkway at a County park.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

5. Approval of the minutes of the July 1, 2013, meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

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 11:59 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson