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, MARCH 2, 2015, AT 9:30 A.M.

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. Robert Daily v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. YC 067 586

This lawsuit seeks compensation for damages to real and personal property allegedly caused by the stoppage of a main sewer line maintained by the Department of Public Works, which allegedly caused sewage to flow onto the homeowner's property.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $76,500.

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

See Supporting Documents

b. Aurora Navarrete, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. BC 565 226

This wrongful death lawsuit alleges that Fire Department paramedics' inadequate management of Plaintiffs' spouse and father contributed to his prolonged hospitalization and his death.

Action Taken:

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

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

See Supporting Documents

c. **Griselda Navarro, et al. v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 520 528

This lawsuit concerns allegations that LAC+USC Medical Center staff were negligent in handling the remains of Plaintiff's fetus.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $21,482.

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

See Supporting Document

d. **Jaime Topete, et al. v. Los Angeles County Sheriff's Department, et al.**
Los Angeles Superior Court Case No. KC 058 362

This negligence lawsuit alleges personal injuries sustained in a vehicle accident involving an on-duty Sheriff's Deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $350,000.

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

See Supporting Document

e. **Sammy Davis, Jr., et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 04-08251

This lawsuit alleges civil rights violations when Plaintiffs were put at a heightened risk of contracting Methicillin-Resistant Staphylococcus Aureus ("MRSA") due to unsanitary conditions of confinement in Los Angeles County jails.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $349,500.

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

See Supporting Documents

f. <u>Patrick Maxwell v. County of Los Angeles</u>
Los Angeles Superior Court Case No. BC 497 305

This lawsuit concerns allegations that a Sheriff's Department employee was not promoted based on age discrimination and retaliation.

<u>Action Taken</u>:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $140,000.

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

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 February 2, 2015, regular meeting of the Claims Board.

<u>Action Taken</u>:

The Claims Board approved the minutes.

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

<u>See Supporting Document</u>

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		Robert Daily v. County of Los Angeles, et al.
CASE NUMBER		YC067586
COURT		Los Angeles County Superior Court
DATE FILED		August 3, 2012
COUNTY DEPARTMENT		Public Works
PROPOSED SETTLEMENT AMOUNT	$	76,500
ATTORNEY FOR PLAINTIFF		Barry J. MacNaughton Ervin Cohen & Jessup LLP
COUNTY COUNSEL ATTORNEY		Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE		On May 9, 2011, an alleged back-up of the sewer main line caused sewage overflow to flood underneath Robert Daily's home and onto his front yard located at 15 Silver Saddle Lane, Rolling Hills Estates, California. Mr. Daily alleges that his house and property were damaged by the sewage overflow. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	$	24,041
PAID COSTS, TO DATE	$	4,619

Case Name: DAILY, ROBERT

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 9, 2011
Briefly provide a description of the incident/event:	The claimant alleges that on May 9, 2011, the main sewage line that services his property in Rolling Hills Estates suffered a stoppage, and as a result, raw sewage from neighboring homes backed up into his residence.

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

Although this overflow was determined to be the result of a private house lateral plumbing problem, and not due to a stoppage in the main line, Public Works has settled with this Plaintiff as a business decision to avoid possible incurring further costs stemming from taking this case to trial.

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

N/A

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

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

Name (Risk Management Coordinator)
Michael J. Hays

Signature Date 10/15/2014

Name (Department Head)
Gail Farber

Signature Date 1-27-15

DH
JW

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability
- ☒ No, the corrective actions are applicable only to this department

Name (Risk Management Inspector General)
Destiny Castro

Signature Date 10/21/2014

CMC:psr
P:\ DAILY SCAP\

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Aurora Navarrete, et al. County of Los Angeles
CASE NUMBER	BC 565226
COURT	Los Angeles Superior Court
DATE FILED	December 3, 2014
COUNTY DEPARTMENT	Los Angeles County Fire Department
PROPOSED SETTLEMENT AMOUNT	$425,000
ATTORNEY FOR PLAINTIFF	Matthew Nezhad, Esq. Nezhad Shayesteh & Levy
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	On September 7, 2013, Reynaldo Salas, a 51-year-old male, had a fall at home. A 911 call was made, and the Los Angeles County paramedics were dispatched. The paramedics examined Mr. Salas and arranged for him to be transported to a hospital. Later, it was determined that Mr. Salas had suffered from a neck injury. Mr. Salas remained at a hospital; he died on December 2, 2013 primarily as a result of his advanced liver disease. Mr. Salas' family brought a wrongful death case against the County of Los Angeles alleging that the paramedics' inadequate management of Mr. Salas' neck injury contributed to his prolonged hospitalization and his death.
PAID ATTORNEY FEES, TO DATE	None
PAID COSTS, TO DATE	$5,951

Case Name: Salas v. 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:	September 7, 2013
Briefly provide a description of the incident/event:	On September 7, 2013, a 911 call was placed by Mr. Salas' daughter from his Pomona residence requesting paramedics. Within one and a half minutes of the call the Fire Department dispatched paramedics while his daughters continued talking to the dispatcher. Although nothing in the call suggested that he had lost consciousness, the call was listed as "unconscious patient" when the call was transmitted to the responding units. During the call, and while the paramedics were in route, one of Salas' daughters reported that he was suffering from neck pain. Dispatch did not relay that information to the paramedics. Upon arrival, the paramedics examined Mr. Salas. He was awake and intoxicated but able to move his extremities. The paramedics found him sitting on his bed and holding a beer in his hand. The family stated that Mr. Salas had fallen from his mattress, which was on the floor, onto the carpeted floor. The family also reported that Mr. Salas had a history of a stroke, alcoholism and liver disease. The Emergency Medical Services ("EMS") form completed by the paramedics at the scene documents that Mr. Salas suffered trauma from a fall and was under the influence of alcohol. According to the Fire Department's policy and guidelines in effect at the time, the paramedics were required to place a cervical-spine collar ("c-collar") on Mr. Salas to immobilize his neck and place him on a back board to restrict his spinal cord movement. They failed to place him in a c-spine collar and on a back board. Mr. Salas was taken to Chino Valley Medical Center by a private ambulance. When he arrived, he was unable to move his extremities. An imaging study of the cervical spine showed that he had a subluxation or displacement of the cervical vertebrae and spinal cord bruising. These injuries progressed and led to permanent injury to the spinal cord resulting in quadriplegia. After one day at Chino Valley Medical Center Mr. Salas was transferred to Arrowhead Regional Medical Center. While there he underwent surgery but his condition gradually deteriorated, and he died at that facility on December 2, 2013. No autopsy was performed. Although the death certificate, completed by Arrowhead Regional Medical Center

	staff, states the primary cause of death was liver disease and chronic alcoholism, the County's medical consultant believes that Mr. Salas' paralysis and prolonged immobility contributed to his death.

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

- Failure of a Captain to manage an emergency scene and ensure proper assessment and treatment of a patient and omitting information on an EMS form.
- Failure to ensure proper assessment and treatment of a patient by implementing spinal immobilization precautions.
- The 911 Call Taker needing to select the most significant call type, when presented with multiple medical complaints, and determine what is the relevant medical information to be transmitted to the responding units within the Department goal of one minute from receipt of the call to transfer to dispatch.

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

1. The Captain in charge of this response received a 30 day suspension for failure to properly manage an emergency scene and ensure adequate assessment and treatment of a patient and for omitting information on an EMS report. The letter of intent to suspend has been served on the employee. The employee is exercising his administrative appeal rights. The LEMSA has placed the Captain's EMT Certification on probation for one year. – September 2, 2014 - Acting Deputy Chief East Region Operations Bureau
2. The Firefighter Specialist received a six day suspension for failure to properly asses and treat a patient by not implementing spinal immobilization procedures and violating the Department policy on documentation. The letter of intent to suspend has been served on the employee. The employee is exercising his administrative appeal rights. The LEMSA has placed the Firefighter Specialist's EMT Certification on probation for one year. – September 2, 2014 - Deputy Chief North Region Operations Bureau
3. The Firefighter received a six day suspension for failure to properly asses and treat a patient by not implementing spinal immobilization procedures. The letter of intent to suspend has been served on the employee. The employee is exercising his administrative appeal rights. The LEMSA has placed the Firefighter's EMT Certificate on probation for one year. – September 2, 2014 - Acting Deputy Chief East Region Operations Bureau
4. The Captain was provided directed education and case review to ensure that he is confident in his ability to assess and treat a similar patient in similar circumstances going forward. – September 2013 – Medical Director
5. The Firefighter Specialist was provided directed education and case review to ensure that he is confident in his ability to assess and treat a similar patient in similar circumstances going forward. – September 2013 – Medical Director
6. The Firefighter was provided directed education and case review to ensure that he is confident in his ability to assess and treat a similar patient in similar circumstances going forward... – September 2013 – Medical Director
7. The dispatcher who took the call from the family members received a Notice of Instruction reminding him to use proper call typing procedures on all calls. – December 11, 2014 – Assistant Fire Chief Command & Control
8. All dispatchers will be provided training on a review of call typing as part of their regular monthly training. – January 31, 2015 – Assistant Fire Chief Command & Control

9. All paramedics were required to attend EMS Update 2014 which incorporated the new algorithm to evaluate the need for Spinal Motion Restriction. All EMT's were introduced to the new Spinal Motion Restriction algorithm and rationale for assessing the need for SMR – May 2014 to September 2014 – Acting Deputy Chief EMS Bureau

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

☒ Yes – The corrective actions address department-wide system issues.

☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Michael Kranther, Division Chief	
Signature: Michael Kranther	Date: 2/5/15

Name: (Department Head) Daryl L. Osby, Fire Chief	
Signature: Daryl Osby	Date: 02/05/15

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

☐ Yes, the corrective actions potentially have County-wide applicability.

☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General) Destiny Castro	
Signature: Destiny Castro	Date: 2/5/2015

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Griselda Navarro v. County of Los Angeles
CASE NUMBER	BC 520528
COURT	Los Angeles Superior Court – Central District
DATE FILED	September 5, 2013
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	$21,482
ATTORNEY FOR PLAINTIFF	Philip Michels, Esq. Michels and Lew
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	On October 20, 2012, Griselda Navarro, underwent a therapeutic abortion at LAC+USC Medical Center. Ms. Navarro requested that the remains be released to Forest Lawn for burial. Due to an error, the remains of another newborn infant (with the same last name) was given to Forest Lawn for burial. When the error was identified, the LAC+USC Medical Center staff contacted Forest Lawn and arranged and paid for the burial of Ms. Navarro's fetus. Ms. Navarro filed a lawsuit against the County of Los Angeles contending that the LAC+USC Medical Center staff were negligent in handling the remains of her fetus.
PAID ATTORNEY FEES, TO DATE	$11,079
PAID COSTS, TO DATE	$203

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Jaime Armando Topete v. Los Angeles County Sheriff's Department, et al.
CASE NUMBER		KC058362
COURT		Los Angeles Superior Court
DATE FILED		March 30, 2010
COUNTY DEPARTMENT		Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	$	350,000.00
ATTORNEY FOR PLAINTIFF		Law Office of Sassan Mackay
COUNTY COUNSEL ATTORNEY		BRIAN T. CHU Principal Deputy County Counsel
NATURE OF CASE		This is a motor vehicle negligence lawsuit involving a collision between a Sheriff's Department patrol unit and a Nissan truck on December 6, 2009 at the signalized intersection of Sunset Avenue and Amar Road, in the unincorporated County area of West Puente Valley. The driver of the truck contends that the patrol unit entered the intersection against a red signal, which the County denies and contends that the driver of the truck entered the intersection against a red signal. The plaintiffs are the driver of the truck and his two passengers who were injured in the collision. The spouse of the one passenger also claims loss of consortium damages. Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of $350,000 is recommended.
PAID ATTORNEY FEES, TO DATE	$	647,307
PAID COSTS, TO DATE	$	446,986

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Sammy Davis, Jr., et al. v. County of Los Angeles, et al.
CASE NUMBER		CV 04-08251
COURT		United States District Court
DATE FILED		Complaint filed: October 4, 2004
COUNTY DEPARTMENT		Los Angeles County Sheriff
PROPOSED SETTLEMENT AMOUNT	$	349,500
ATTORNEY FOR PLAINTIFF		Barry Litt, Esq. Kaye, McLane, Bednarski & Litt, LLP
COUNTY COUNSEL ATTORNEY		Jennifer A.D. Lehman
NATURE OF CASE		This is a recommendation to settle for $349,500, inclusive of attorneys' fees and costs, the class action lawsuit filed by Sammy Davis, Jr., alleging civil rights violations because he and others were put at a heightened risk of contracting MRSA while they were incarcerated in County jails. The Sheriff's Department contends that it has taken all appropriate steps to prevent, identify, and treat MRSA. However, due to the uncertainties of litigation, a full and final settlement of the case in the amount of $349,500 is recommended.
PAID ATTORNEY FEES, TO DATE	$	263,533
PAID COSTS, TO DATE	$	31,997

Case Name: **Sammy Davis, Jr., 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:	Between April 5, 2004, and November 8, 2005
Briefly provide a description of the incident/event:	**Sammy Davis, Jr., et al v. County of Los Angeles, et al.** Summary Corrective Action Plan No. 2013-040 Between April 5, 2004, and November 8, 2005, the named plaintiffs (representing the balance of the class) were incarcerated in various facilities within the Los Angeles County jail system. The plaintiffs alleged they were forced to sleep on the floor in vermin and cockroach-infested areas, use dirty mattresses and/or in dirty bedding, and endure overflowing urinals/toilets. Of the eight named plaintiffs, two never alleged they actually contracted any medical ailment, medical condition, or suffered any physical injury while incarcerated in the Los Angeles County jail system. They contend only that they were placed *at risk* of contracting serious medical conditions including, but not limited to, Methicillin-Resistant Staphylococcus Aureus (MRSA), as a result. Three of the plaintiffs claimed to have acquired infections caused by Methicillin-Resistant Staphylococcus Aureus (MRSA) as a result of the alleged conditions. Two of the plaintiffs claimed to have suffered rashes to their extremities as a result of the alleged conditions, and the eighth plaintiff alleged severe back pain, a large scab to his head, and numerous flea or tick bites on his arms, back and neck.

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

In their lawsuit, the named plaintiffs (representing the balance of the class) alleged they were subjected to improper sleeping accommodations, overcrowding, and unsanitary living conditions while incarcerated in the Los Angeles County jail system.

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

These allegations were thoroughly investigated by representatives from the Los Angeles County Sheriff's Department's Pitchess Detention Center North Facility, Men's Central Jail, and Los Angeles County Sheriff's Department's Custody Support Services. After receiving the lawsuit, the allegations were investigated by representatives of the Los Angeles County Sheriff's Department Risk Management Bureau.

Their investigation revealed that involved members of the Los Angeles County Sheriff's Department followed established protocols in effect during the time. No employee misconduct is suspected. Consequently, no personnel-related administrative action was taken, and no other personnel-related corrective action measures are recommended nor contemplated.

Preceding the allegations and continuing thereafter, the Los Angeles County Sheriff's Department implemented the following corrective measures throughout the jail system.

The Los Angeles County Sheriff's Department's Medical Services Bureau revised the policy related to "MRSA" (originally created May 12, 2003 and last revised August 10, 2011). The revised procedures include the isolation of patients in wound-care dorms, decontamination of the affected inmate's housing area, and continuous monitoring for recurrences.

On January 13, 2013, the Los Angeles County Sheriff's Department Custody Division completed the installation of a comprehensive video surveillance system covering most of the secure areas of Men's Central Jail and Twin Towers Correctional Facility. The systems are currently being installed at Century Regional Detention Facility and are due for installation at all of the Pitchess Detention Center facilities beginning 2016.

In July 2009, the Los Angeles County Sheriff's Department implemented an electronic monitoring system that reports the current status of all required safety checks from inmate housing modules throughout the entire Los Angeles County Custody facility system. In 2011, the system was updated to its current version.

Beginning February 2010, the Los Angeles County Sheriff's Department started to maintain the custodial "Uniform Daily Activity Log" (UDAL) in electronic form. This log is maintained to document daily occurrences by housing unit inclusive of linen exchanges, vermin control measures taken, maintenance problems and corrections, supervisor checks, and unusual occurrences. All Los Angeles County jail facilities housing arrestees and inmates required to maintain this log now use this system.

On September 14, 2006, representatives of the United States District Court, Central District of California, pursuant to the matter in re: **Dennis Rutherford, et al. v. Leroy Baca, et al.** inspected the Los Angeles County Men's Central Jail and Inmate Reception Center. The court noted that "significant progress had been made in addressing many of the issues that arose during the first tour. The six person cells were reduced to four persons, the four person cells were reduced to two persons, many of the areas in question had been cleaned and repainted and additional day room space, with televisions, was being developed." In addition, and pursuant to an order in the matter of **Dennis Rutherford, et al. v. Leroy Baca, et al.**, scheduled cleanings are now performed to ensure sanitary conditions.

On October 26, 2006, the Los Angeles County Sheriff's Department began to limit the number of inmates per holding cell at the Inmate Reception Center. The Los Angeles County Sheriff's Department Custody Division implemented additional linen and clothing exchanges to counteract potential MRSA infections.

Finally, on or about December 16, 2014, the County of Los Angeles submitted to ongoing federal oversight in order to remedy adverse conditions in its jail facilities.

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)	
Scott E. Johnson, Captain Risk Management Bureau	
Signature:	Date: 2-20-15

Name: (Department Head)	
Earl M. Shields, Chief Professional Standards Division	
Signature:	Date: 02/20/15

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability.
- ☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)	
Destiny Castro	
Signature: Destiny Castro	Date: 2/23/2015

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

February 2, 2015

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: Liliana Campos, Millicent Rolon, Joseph Langton, Karen Joynt and Jonathan McCaverty; Department of Public Works: Michael Hays; and Sheriff's Department: Lt. Patrick Hunter, Sgt. Albert Schauberger and Sgt. Chastity Phillians.

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

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9).

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

4. Report of actions taken in Closed Session.

At 11:10 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. <u>Claim of Marcel and Kimberly Labbe</u>

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

<u>Action Taken</u>:

The Claims Board approved settlement of this matter in the amount of $63,771.60.

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

b. **Nathaniel Marshall v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 430 969

This lawsuit alleges that the Probation Department violated Plaintiff's civil rights by failing to protect him from other juvenile wards under their supervision, which resulted in serious personal injury.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $1,200,000.

Vote: Ayes: 2 – John Naimo, Steve Robles
Abstention: 1 – Patrick Wu

c. **D.S., a minor, by Juana Lazaro v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 449 291

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

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

d. **Chalino Sanchez v. County of Los Angeles, et al.**
United States District Court Case No. CV 13-03836

This lawsuit concerns allegations of excessive force resulting in a shooting by a Sheriff's Deputy.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $99,000.

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

e. **Ricky Allen v. County of Los Angeles, et al.**
United States District Court Case No. CV 13-07916

This lawsuit concerns allegations of excessive force, battery, and negligence involving an arrest and shooting by Sheriff's Deputies.

Action Taken:

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

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

f. **William Cubela v. County of Los Angeles, et al.**
United States District Court Case No. 13-07227

This lawsuit concerns allegations that Plaintiff was improperly housed at Men's Central Jail and consequently suffered injuries from convicted inmates.

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

g. **Cheryl Aichele, et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 12-10863

This class action lawsuit alleges class members were unlawfully arrested by the Los Angeles Police Department during a protest movement, and subjected to lengthy bus detentions by the Sheriff's Department.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $225,000.

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

h. Latisha Clayton v. County of Los Angeles, et al.
United States District Court Case No. CV 12-7210

This lawsuit concerns allegations of two false arrests by Sheriff's Deputies.

Action Taken:

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

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

5. **Approval of the minutes of the January 12, 2015, special 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 11:15 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson

Carol J. Slosson