

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 21, 2016, AT 9:30 A.M.

Present: Chair John Naimo, Steve Robles, and Roger Granbo

- 1. Call to Order.**
- 2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.**

No members of the public addressed the Claims Board.

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

- a. Steven Forster v. County of Los Angeles, et al.
United States District Court Case No. CV 14-07231**

This lawsuit alleges deliberate indifference to the safety needs of an inmate at Men's Central Jail.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$95,000.

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

[See Supporting Document](#)

b. **Non-Litigated Claim of Met Life Auto & Home As Subrogee of Evangeline Cheshewalla**

This claim arises from alleged injuries sustained in a vehicle accident involving an Internal Services Department employee.

Action Taken:

The Claims Board approved the settlement of this matter. The substance of the above settlement will be disclosed upon inquiry by any person as soon as settlement between all parties becomes final.

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

c. **Interinsurance Exchange of the Automobile Club v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 567 814

This lawsuit seeks compensation for property damage due to a fallen tree.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$85,000.

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

[See Supporting Document](#)

d. **Micon Construction, Inc. v. County of Los Angeles Public Works Parks Bureau, et al.**
Los Angeles Superior Court Case No. BC 581 326

This breach of contract lawsuit against the Department of Public Works concerns a construction contract.

Action Taken:

This item was withdrawn from the agenda at the request of the attorney. No action taken.

e. **L.A. Builders, Inc. v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 549 947

This breach of contract lawsuit against the Department of Public Works concerns a construction contract.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$254,793.

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

[See Supporting Document](#)

f. **Jason Gillard v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 562 101

This lawsuit concerns allegations by an employee of the Department of Mental Health for disability discrimination, retaliation, failure to make a reasonable accommodation and engage in the interactive process, and violations of FMLA and the CFRA.

Action Taken:

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

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

g. **Domarina Shamouni v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 544 593

This lawsuit concerns allegations that an employee of the Department of Auditor-Controller and former trainee with the Department of Children and Family Services was subjected to disability discrimination, retaliation, and failure to prevent discrimination.

Action Taken:

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

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

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in Closed Session as indicated under Agenda Item No. 3 above.

5. **Approval of the minutes of the March 7, 2016, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

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

[See Supporting Document](#)

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

No such matters were discussed.

7. **Adjournment.**

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Steven Forster v. County of Los Angeles, et al.
CASE NUMBER	CV-14-07231
COURT	United States District Court
DATE FILED	September 26, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 95,000
ATTORNEY FOR PLAINTIFF	Darrell J. York and Sarah L. Garvey The Law Offices of York & Garvey
COUNTY COUNSEL ATTORNEY	Edwin Lewis Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$95,000, the lawsuit filed by Steven Forster alleging civil rights violations and negligence on the part of jail personnel when he was attacked by another inmate.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$95,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 47,323
PAID COSTS, TO DATE	\$ 2,814

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME Interinsurance Exchange of the Automobile Club vs. County of Los Angeles, et al.

CASE NUMBER BC 567814

COURT Los Angeles Superior Court

DATE FILED January 12, 2015

COUNTY DEPARTMENT Department of Public Works

PROPOSED SETTLEMENT AMOUNT \$ 85,000

ATTORNEY FOR PLAINTIFF Andrew R. De La Flor, Esq.
De La Flor & Associates

COUNTY COUNSEL ATTORNEY Kevin Engeliem
Senior Associate County Counsel

NATURE OF CASE This is a case involving a falling tree on public property located in Whittier, California which resulted in a lawsuit for an alleged dangerous condition of public property against the County of Los Angeles.

Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$85,000 is recommended.

PAID ATTORNEY FEES, TO DATE \$ 16,683

PAID COSTS, TO DATE \$ 5

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	LA Builders, Inc. v. County of Los Angeles
CASE NUMBER	BC549947
COURT	Los Angeles Superior Court
DATE FILED	June 27, 2014
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 254,793
ATTORNEY FOR PLAINTIFF	Craig Lang, Feldman & Associates
COUNTY COUNSEL ATTORNEY	Rosa Linda Cruz
NATURE OF CASE	Action for alleged breaches of construction contract (including the failure to timely release retention sums) by the Department. The Department cross-complained for the contractor's failure to perform work required under the contract.
PAID ATTORNEY FEES, TO DATE	\$ 83,582
PAID COSTS, TO DATE	\$ 9,158

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

MARCH 7, 2016

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: Chair John Naimo, Steve Robles, and Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Narbeh Bagdasarian, Lindsay Yoshiyama, Rosa Linda Cruz, Brian Chu, and Julie Ting; Sheriff's Department: Comm. Henry Romero, Sgt. April Carter, Sgt. Kevin Percy, Deputy Dominic Dannan, Nick Teophilov and Raymond Waliany; Fire Department: William McCloud and Michael Kranther; Department of Public Works: Bill Winter, David Gonzalez, Jim Sparks, and Steve Burger; Department of Parks and Recreation: David Waage, Anush Gambaryan, and Lyle Goldstein; and Outside Counsel: Mitzie Dobson.

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(j) below.

4. Report of actions taken in Closed Session.

At 11:36 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

- a. Adrian Scott Morgan v. County of Los Angeles, et al.
United States District Court Case No. CV 08-8357-ODW

This lawsuit alleges deliberate indifference to an inmate's medical needs while he was incarcerated at Men's Central Jail.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$175,000.

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

- b. Desiree Henriquez, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:14-CV00196-GW

This wrongful death lawsuit arises from the death of an accident victim that was treated by Los Angeles County Fire Department paramedics.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$925,000.

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

- c. Non-Litigated Claim of Victor Sevilla

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$99,500.

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

- d. Non-Litigated Claim of Steven Shvarts and Yuquian Cai

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$59,643.43.

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

- e. Non-Litigated Claim of Roohi Pinhassian and Avraham Pinhassian

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

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$58,643.83.

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

- f. Dalai International Corporation v. County of Los Angeles, et al.
Los Angeles Superior Court Case Number BC 512 582

This breach of contract lawsuit against the Department of Public Works concerns a construction contract.

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 Roger Granbo

- g. Ankuo Lee v. County of Los Angeles
Los Angeles Superior Court Case No. BC 524 091

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$98,000.

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

- h. Lisette E., a minor by and through her Guardian Ad Litem, Maria Lozano, v. County of Los Angeles
Los Angeles Superior Court Case No. BC 516 649

This dangerous condition lawsuit arises from alleged injuries received in a trip and fall accident at Harbor-UCLA Medical Center.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$24,999.

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

- i. Alisa Medders v. County of Los Angeles
Los Angeles Superior Court Case No. BC 538 161

This dangerous condition lawsuit arises from alleged injuries received in a trip and fall accident on a bleacher walkway at Arcadia 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 Roger Granbo

- j. Francisco Coronado v. County of Los Angeles
Los Angeles Superior Court Case No. BC 585 636

This lawsuit concerns allegations that an employee of the Department of Parks and Recreation was subjected to sexual harassment, discrimination, and retaliation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$99,999.

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

5. **Approval of the minutes of the February 1, 2016, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

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

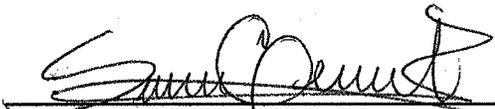
6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting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

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 11:39 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Sandra C. Ruiz