

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD IN THE CITY OF NORWALK, COMMUNITY MEETING CENTER
MULTI-PURPOSE ROOM, 13200 CLARKSDALE AVENUE, NORWALK,
CALIFORNIA 90650

ON

WEDNESDAY, SEPTEMBER 21, 2016, AT 11:00 AM

Members Present: Chair Curtis Morris, Mark Alexander, Margaret Finlay,
Doug Prichard, Mark Waronek, and Marcel Rodarte

Members Absent: Michael Egan

Alternates Present: Darrell George and Cheri Kelley

1. **Call to Order.**
2. **Opportunity for members of the public to address the Contract Cities Liability Trust Fund 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. Kevin Cohen and Leesa Danzek v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 536618

This lawsuit concerns allegations of injuries sustained in an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$41,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Doug Prichard, Mark Waronek, and Marcel Rodarte

Absent: Michael Egan

See Supporting Document

- b. Marlene P., et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-06497
Bernardita Maldonado Gomez, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-06576

This lawsuit arises from allegations of excessive force shooting and wrongful death by Sheriff's Deputies.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,750,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Doug Prichard, Mark Waronek, and Marcel Rodarte

Absent: Michael Egan

See Supporting Document

- c. K.C.R., et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 13-3806

This lawsuit concerns allegations of excessive force shooting and wrongful death by Sheriff's Deputies.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,500,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Doug Prichard, Mark Waronek, and Marcel Rodarte

Absent: Michael Egan

See Supporting Document

- d. Jane Taylor, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 567844

This lawsuit concerns allegations of injuries sustained in an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$59,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Doug Prichard, Mark Waronek, and Marcel Rodarte

Absent: Michael Egan

See Supporting Document

- e. Valenzuela Elia Torres, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 024624

This lawsuit concerns allegations of injuries sustained in an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$65,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay
Doug Prichard, Mark Waronek, and Marcel Rodarte

Absent: Michael Egan

See Supporting Document

**4. Closed Session – Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Government Code Section 54956.9).**

- a. Kathleen Anderson, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-09289

This lawsuit concerns allegations of wrongful death and federal civil rights violations by Sheriff's Deputies.

Action Taken:

No reportable action taken.

- b. Teresita Garcia v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 553204

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken.

- c. Carla Wade, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 611073

This lawsuit concerns allegations of excessive force shooting and wrongful death by Sheriff's Deputies.

Action Taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The Contract Cities Liability Trust Fund Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Items No. 3 and No. 4 above.

6. Approval of the minutes of the August 10, 2016, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Margaret Finlay,
Doug Prichard, Mark Waronek, and Marcel Rodarte

Absent: Michael Egan

See Supporting Document

7. Approval of the Biennial review of the Liability Trust Fund Claims Board Conflict of Interest Code.

The Biennial Review of the Liability Trust Fund Claims Board Conflict of Interest Code was approved.

8. **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.

9. **Other Business.**

None

10. **Adjournment.**

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kevin Cohen and Leesa Danzek v. County of Los Angeles, et al.
CASE NUMBER	BC 536618
COURT	Los Angeles Superior Court
DATE FILED	February 18, 2014
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 41,000
ATTORNEY FOR PLAINTIFF	Steven E. Spencer, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>On July 17, 2013, an on-duty Sheriff's Deputy drove a marked Sheriff's patrol unit from the parking lot of Lifeguard Headquarters, located at 30050 Pacific Coast Highway, City of Malibu, onto Pacific Coast Highway in response to a call for service. The Sheriff's Deputy, with the patrol unit's emergency lights activated, intended to proceed westbound by making a U-turn at a center median break after merging into the eastbound lanes. Before the Sheriff's Deputy could complete his U-turn, a sport utility vehicle driven by Kevin Cohen collided into the patrol unit. Mr. Cohen and his passenger, Leesa Danzek contend that the Sheriff's Deputy was negligent and claim soft tissue injuries as a result of the accident. The County and the Deputy deny liability.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$41,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 177,332
PAID COSTS, TO DATE	\$ 55,097

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marlene P., et al. v. County of Los Angeles, et al., and Bernardita Maldonado Gomez, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:15-CV-06497 and 2:15-CV-06576
COURT	United States District Court
DATE FILED	March 13, 2015 (Marlene P.) August 28, 2015 (Bernardita Maldonado Gomez)
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 2,750,000
ATTORNEY FOR PLAINTIFF	Arnoldo Casillas, Esq. Casillas, Moreno & Associates Humberto M. Guizar, Esq. Law Offices of Humberto M. Guizar
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,750,000, inclusive of attorneys' fees and costs, two Sheriff's Department Contract Cities civil rights lawsuits filed by Salvador Palencia's two minor children, Marlene P. and Diego P., by and through their guardian ad litem, Irma Hernandez; Mr. Palencia's wife, Bernardita Maldonado Gomez, and adult child, Rubi Palencia, alleging wrongful death and excessive force.</p> <p>The Deputies claim their actions were reasonable under the circumstances.</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 \$2,750,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 141,446
PAID COSTS, TO DATE	\$ 33,125

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	K.C.R., et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 13-3806
COURT	United States District Court
DATE FILED	July 30, 2013
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,500,000
ATTORNEY FOR PLAINTIFF	Law Offices of Dale K. Galipo
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$1,500,000, inclusive of attorneys' fees and costs, the lawsuit filed by K.C.R. and KR., the minor sons of decedent Kenneth Rivera, III, and Kenneth Rivera, Jr., Mr. Rivera, III's father, arising out of a fatal shooting in the City of Lynwood on June 21, 2012, when Sheriff's Deputy Norma Silva shot and killed Mr. Rivera, III, after he had tried to kidnap a teenage girl.</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 \$1,500,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 492,554
PAID COSTS, TO DATE	\$ 292,599

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jane Taylor, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC 567844
COURT	Los Angeles Superior Court
DATE FILED	December 26, 2014
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 59,000
ATTORNEY FOR PLAINTIFF	John E. Sweeney John E. Sweeney & Associates
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on December 31, 2012, at the intersection of Valmar Road and Brenford Street in the City of Calabasas, when a vehicle driven by a Sheriff's Deputy collided with a vehicle driven by Leigh Ann T. Her mother, Jane T., and her sisters, Victoria T. and Michelle T., were also in the vehicle. Plaintiffs claim to have suffered injuries as a result of the accident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 29,338
PAID COSTS, TO DATE	\$ 4,147

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Valenzuela Elia Torres, et al. v. County of Los Angeles, et al.
CASE NUMBER	MC 024624
COURT	Los Angeles Superior Court
DATE FILED	June 6, 2014
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 65,000 as to all plaintiffs
ATTORNEY FOR PLAINTIFF	George G. Mgdesyian, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>An on-duty Sheriff's Deputy driving a marked patrol unit while in the course and scope of his duties, collided with a vehicle driven by Valenzuela Torres, at the intersection of 10th Street West and Avenue L in the City of Lancaster. Ms. Torres was traveling westbound approaching the intersection as the Sheriff's Deputy entered the intersection in the southbound lane of 10th Street West with red light and siren activated. The two vehicles collided in the intersection, which resulted in soft tissue injuries to Ms. Torres, her husband, David Pineda, Sr., and their two minor sons and minor nephew, who were passengers in Ms. Torres's vehicle. The plaintiffs contend that the Sheriff's Deputy made an unsafe entry into the intersection. The County denies the Sheriff's Deputy was negligent and contends that Ms. Torres was comparatively negligent.</p> <p>Due to the inherent risks and uncertainties involved in a trial, and the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and eventually developed this recommended settlement.</p>
PAID ATTORNEY FEES, TO DATE	\$ 98,406
PAID COSTS, TO DATE	\$ 10,916

**COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND
CLAIMS BOARD**

MINUTES OF MEETING

August 10, 2016

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Curtis Morris at 11:11 a.m. The meeting was held in the Community Meeting Center, Sproul Room, 13200 Clarkdale Avenue, Norwalk, CA 90650.

Present at the meeting were **Claims Board Members:** Curtis Morris, Chair, San Dimas, Region III; Mark Alexander, La Canada Flintridge, Region I; Michael Egan, Norwalk, Region III; Margaret Finlay, Duarte, Region I; Doug Prichard, Rolling Hills Estates, Region II; Mark Waronek, Lomita, Region II; Marcel Rodarte, California Contract Cities Association; **Alternates:** Cheri Kelley, Norwalk, Region III; **County of Los Angeles Staff:** Millicent L. Rolon, Principal Deputy County Counsel; Richard Kudo, Principal Deputy County Counsel; Maxine Kallenberger, Los Angeles Sheriff's Department; Brant Frederickson, Los Angeles Sheriff's Department; Buddy Goldman, Los Angeles Sheriff's Department; John La Salle, Wells Fargo Insurance Services; Justin Ko, Wells Fargo Insurance Services; Sahib Singh, Wells Fargo Insurance Services; Ilana Urman, Wells Fargo Insurance Services; **California JPIA:** Paul Zeglovitch, Liability Program Manager; Jim Thyden, Insurance Programs Manager; Denise Covell, Office Assistant; Jennifer Fullerton, Administrative Analyst.

2. Public Comment

Members of the public were provided the opportunity to address the Contract Cities Liability Trust Fund Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board. No members of the public addressed the Board.

At 11:12 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

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

a. Claim of IDS Property Casualty
File Claim No. 15-1124803*001

This claim concerns allegations of damages sustained in an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$36,361.98.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Marcel Rodarte, Margaret Finlay, Doug Prichard, Mark Waronek, and Michael Egan

b. Sonya R. Syers-Federon, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 14-09482

This lawsuit arises from allegations of injuries sustained in an automobile accident involving an on-duty Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$34,000.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Marcel Rodarte, Margaret Finlay, Doug Prichard, Mark Waronek, and Michael Egan

4. **Closed Session - Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Government Code Section 54956.9)**

- a. Susan Berry, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 15-09715

This lawsuit concerns allegations of wrongful death and federal civil rights violations by Sheriff's Deputies.

Action Taken:

No reportable action taken.

- b. Estate of Antoine Hunter, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 14-09482

This lawsuit concerns allegations of wrongful death and federal civil rights violations by Sheriff's Deputies.

Action Taken:

No reportable action taken.

- c. Claim of Xao Feng Lei
File Claim No. 15-1120607*002

This claim concerns allegations of injuries sustained in an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken.

- d. Mildred Mae Mendoza, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 594206

This wrongful death lawsuit concerns allegations of negligence and battery by Sheriff's Deputies.

Action Taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 12:10 p.m. No action was taken in Closed Session which required a public report pursuant to Government Code Section 54957.1.

6. Approval of the Minutes for July 13, 2016, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Marcel Rodarte, Margaret Finlay, Doug Prichard, Mark Waronek, and Michael Egan

7. Items Not on the Posted Agenda, to be Referred to Staff or Placed on the Agenda for Action at a Further Meeting of the Contract Cities Liability Trust Fund Claims 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

None

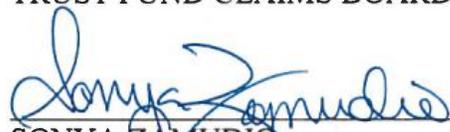
8. Other Business

None

9. Adjournment

There being no further business, the meeting was adjourned at 12:11 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD


SONYA ZAMUDIO