

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
SPROUL ROOM, 13200 CLARKSDALE AVENUE, NORWALK, CALIFORNIA 90650
ON
WEDNESDAY, DECEMBER 10, 2014, AT 11:00 AM

Members Present: Chair Curtis Morris, Mark Alexander, Margaret Finlay,
Michael Egan, Doug Prichard, and Mark Waronek

Member Absent: Sam Olivito

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. Nikkia Wise v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 483647

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$77,000.

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

Absent: Sam Olivito

[See Supporting Document](#)

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

- a. Eduardo Armas v. County of Los Angeles, et al.
United States District Court Case No. CV 14-01356

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

No reportable action was taken.

- b. Annette Montalvo, et al. v. County of Los Angeles, et al.
Compton Superior Court Case No. TC 023708

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

No reportable action was taken.

- c. Claim of Liam Mulligan
File No. 14-1115580*001

This claim concerns allegations of excessive force and civil rights violations by Sheriff's Deputies.

No reportable action was taken.

- d. Claim of Lisa Ostergren
File No. 14-1113935*001

This claim concerns allegations of wrongful death by Sheriff's Deputies.

No reportable action was taken.

- e. Obdulio Oliva, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 14-7091

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

No reportable action was taken.

- f. Justin Smith v. County of Los Angeles, et al.
Compton Superior Court Case No. TC 027644

This lawsuit concerns allegations of assault and battery by Sheriff's Deputies.

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 November 12, 2014, 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, Michael Egan, Doug Prichard, and Mark Waronek

Absent: Sam Olivito

[See Supporting Document](#)

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 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.

8. Other Business.

None

9. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Nikkia Wise v. County of Los Angeles
CASE NUMBER	BC 483647
COURT	Los Angeles Superior Court
DATE FILED	4/27/12
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 77,500
ATTORNEY FOR PLAINTIFF	Law Offices of Goldberg & Gage
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon
NATURE OF CASE	<p>This is a recommendation to settle for \$77,500, the lawsuit filed by Plaintiff Nikkia Wise alleging excessive force by Los Angeles County Sheriff's Department Deputies.</p> <p>The Deputies contend that the force used was reasonable and in response to Ms. Wise's resistance.</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 \$77,500 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 66,236

PAID COSTS, TO DATE \$ 14,574



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:	Wednesday, January 11, 2012, approximately 8:30 p.m.
Briefly provide a description of the incident/event:	<p><u>Nikkia Wise v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2014-033</p> <p>On Wednesday, January 11, 2012, at approximately 8:30 p.m., two uniformed Los Angeles County deputy sheriffs, assigned to the Los Angeles County Sheriff's Department's Lancaster Station, were driving a marked Los Angeles County Sheriff's patrol vehicle through the intersection of Avenue I and 15th Street West, Lancaster, when they initiated an enforcement stop on the plaintiff for riding her bicycle during the hours of darkness without an activated forward facing light (a violation of California Vehicle Code section 21201(d), Equipment Requirements)</p> <p>During the contact, the plaintiff became argumentative and uncooperative. She was ultimately handcuffed, detained in the backseat of a Los Angeles County Sheriff's patrol vehicle, and subsequently released pursuant to her written promise to appear.</p>

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

The root cause in this incident is the plaintiff's allegation she was subjected to excessive 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.

The incident was thoroughly investigated by representatives of the Los Angeles County Sheriff's Department Lancaster Sheriff's Station.

Their investigation concluded the deputy sheriffs' conduct was reasonable. As a result, 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?

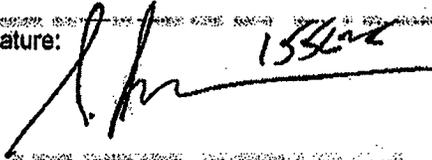
- Yes – The corrective actions address department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



Date:

10-28-14

Name: (Department Head)

Earl M. Shields, Chief
Professional Standards Division

Signature:



Date:

11/12/14

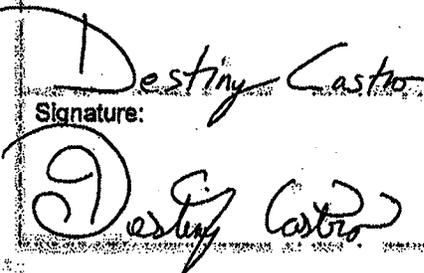
Chief Executive Office Risk Management Inspector General USE ONLY

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)

Signature:



Date:

11/13/2014

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

MINUTES OF MEETING

November 12, 2014

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 11:21 a.m. The meeting was held in the Community 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; Margaret Finlay, Duarte, Region I; Michael Egan, Norwalk, Region III; Doug Prichard, Rolling Hills Estates, Region II; Jeffrey Prang, West Hollywood, Region II; Sam Olivito, Executive Director, California Contract Cities Association; *Alternates:* Cheri Kelley, Norwalk, Region III; David Spence, La Canada Flintridge, Region I; Mark Waronek, City of Lomita, Region II; Darrell George, City of Duarte, Region I; **County of Los Angeles Staff:** Jennifer Lehman, Assistant County Counsel; Ruben Baeza, Jr., Assistant County Counsel; Millicent Rolon, Principal Assistant County Counsel; Ernie Romo, Risk Management, Chief Executive Office; Michael Stuver, Civil Litigation Unit, Los Angeles Sheriff's Department; Chris Deacon, Civil Litigation Unit, Los Angeles Sheriff's Department; Brant Frederickson, Civil Litigation Unit, Los Angeles Sheriff's Department; Karen Bartak, Bedford Falls Insurance Services; **Third Party Administrator for the County of Los Angeles:** Robb Sahli, Claims, Carl Warren & Company; **California JPIA:** Jonathan Shull, Chief Executive Officer; Paul Zeglovitch, Liability Program Manager; Jim Thyden, Insurance Programs Manager; 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 11:21 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)**

There were no settlement proposals for this meeting.

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

- a. Eduardo Cervantes v. County of Los Angeles, et al.
United States District Court Case No. CV 12-09889

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

Action Taken:

No reportable action taken.

- b. David and Sherry Kuang v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 514545

This lawsuit concerns allegations of property damage for failure to maintain drain.

Action Taken:

No reportable action taken.

- c. Mahnoosh Maleki v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 61629

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

Action Taken:

No reportable action taken.

- d. N.K.A., a minor, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 13-05507

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

Action Taken:

No reportable action taken.

- e. Victor Ignacio Ochoa de Leon, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 530149

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

Action Taken:

No reportable action taken.

- f. Justin Smith v. County of Los Angeles, et al.
Compton Superior Court Case No. TC 027644

This lawsuit concerns allegations of assault and battery by Sheriff's Deputies.

Action Taken:

No reportable action taken.

- g. S.V., by Kenia Villareal, et al. v. County of Los Angeles
United States District Court Case No. CV 14-01139

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

Action Taken:

No reportable action taken.

- h. Anticipated Litigation – City of Maywood

Pending Municipal Law Enforcement Services Agreement with City of Maywood

Action Taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 12:02 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 October 8, 2014, 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, Margaret Finlay, Michael Egan, Doug Prichard, Jeffrey Prang, and Sam Olivito

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 12:04 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD



SANDRA C. RUIZ