

**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, MAY 20, 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. **Claim of Marquita Potter  
EEOC Charge No. 480-2010-02071**

This matter concerns allegations of sexual harassment by a former temporary employee of the Los Angeles County Public Library.

Action Taken:

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

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

**b. Jorge Perez v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 482 493**

This lawsuit arises from injuries sustained in an automobile accident with an employee from the Department of Mental Health. (Continued from the May 6, 2013, regular Claims Board meeting.)

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$43,750.

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 May 6, 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	Jorge Perez v. County of Los Angeles, et al.
CASE NUMBER	BC 482493
COURT	Los Angeles Superior Court
DATE FILED	April 10, 2012
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$ 43,750
ATTORNEY FOR PLAINTIFF	Arnold Gross, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This is a motor vehicle negligence lawsuit involving an accident which occurred on April 29, 2010, in the City of Los Angeles between Jorge Perez and an employee of the Department of Mental Health.  Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$43,750 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 36,932
PAID COSTS, TO DATE	\$ 4,219



## 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:	April 29, 2010
Briefly provide a description of the incident/event:	On April 29, 2010, at approximately 11:20 a.m., Department of Mental Health (DMH) Peer Advocate was traveling northbound on Cole Avenue. The other driver was traveling behind him in a 1994 Nissan Sentra. As the employee approached Romaine Street he moved into the right turn pocket. By this time the Nissan Sentra was to the left of the County vehicle. The employee suddenly veered to the left and struck the right side of the Nissan Sentra. The speed of each car at the time of the collision is yet to be determined.

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

County employee's inattentive driving and/or unsafe turn.

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

As a result of this accident, the following actions were taken:

- On April 30, 2010, employee's supervision directed employee to take Safe Driving Training course.
- On May 20, 2010, employee attended Safe Driving Training with instruction on safe driving practices and hazard avoidance.
- On July 11, 2012, employee's supervision directed employee to attend a class course in defensive driving.
- On November 14, 2012 employee attended and completed a class course in defensive driving, which included driving instructions, related films, and behind-the-wheel training.
- On August 28, 2012, as a follow up to the Department's Safe Driving Training a 10 question exercise was emailed to and completed by the employee.

3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- Potentially has County-wide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).\

County of Los Angeles  
Summary Corrective Action Plan

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Does not appear to have County-wide or other department implications.

Name: (Risk Management Coordinator) Margarita Morales	
Signature: Margarita Morales	Date: 03/20/12
Name: (Department Head) MARVIN SOUTHARD	
Signature: MARVIN SOUTHARD	Date: 3/22/13

**Chief Executive Office Risk Management**

Name: LEO COSTANTINO	
Signature: LEO COSTANTINO	Date: 2/13/13

**COUNTY OF LOS ANGELES CLAIMS BOARD**

**MINUTES OF REGULAR MEETING**

**May 6, 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: Michael Moore, Millicent Rolon, Jennifer Lehman and Christopher Keosian; Department of Public Works: Michael Hays and Chris Stone; Department of Mental Health: Mary Romero and Karen Streich; Probation Department: Tracy Jordon-Johnson; Sheriff's Department: Lt. Patrick Hunter and Sgt. Bruce Cantley; and Outside Counsel: Tomas Guterres.

**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(f) below.

**4. Report of actions taken in Closed Session.**

At 11:07 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Steven S. Hanft v. County of Los Angeles, Department of Public Works  
Los Angeles Superior Court Case No. BC 461 674**

This lawsuit concerns allegations of inverse condemnation, nuisance and other damages caused by the County.

**Action Taken:**

The Claims Board approved settlement of this matter in the amount of \$75,000.

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

b. **Jorge Perez v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 482 493**

This lawsuit arises from injuries sustained in an automobile accident with an employee from the Department of Mental Health; settlement is recommended in the amount of \$43,750.

Action Taken:

The Claims Board continued this item.

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

c. **Christian N. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 449 250**

This lawsuit concerns allegations of improper supervision and care which caused injuries to a juvenile while in the custody and care of the Probation and Mental Health Departments.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$42,000.

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

d. **Tatiana Lopez and Miguel Amarillas v. County of Los Angeles, et al.**  
**United States District Court Case No. CV 10-8926**

This lawsuit concerns allegations of violation of civil rights, false arrest, and malicious prosecution by Sheriff's Deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$550,000.

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

e. **Albert Brown v. County of Los Angeles, et al.**  
**United States District Court Case No. CV 12-03297**

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$75,000.

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

f. **Hongdao "Cindy" Nguyen v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 423 072**

This lawsuit concerns allegations that an employee of the Sheriff's Department was subjected to sexual harassment, gender discrimination, and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$150,000.

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

5. **Approval of the minutes of the April 15, 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.**

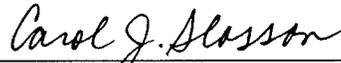
No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 11:10 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By

  
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Carol J. Slosson