



COUNTY OF LOS ANGELES

CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

John Naimo
Auditor-Controller
Steven E. NyBlom
Chief Executive Office
Patrick A. Wu
Office of the County Counsel

NOTICE OF SPECIAL MEETING

The County of Los Angeles Claims Board will hold a special meeting on **Monday, January 14, 2013, at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9).
 - a. Anthony Arutunian v. County of Los Angeles
United States District Court Case No. CV 12-2008

This lawsuit concerns allegations of a violation of civil rights by an inmate while detained in Men's Central Jail; settlement is recommended in the amount of \$35,000.

[See Supporting Documents](#)
 - b. Claims of Veronica A. Rodriguez, Edlyn Betancourt and Jennifer Betancourt (A Minor)

These claims seek compensation for injuries received in an automobile accident with an employee of the Sheriff's Department; settlement is recommended in the amount of \$25,500.

[See Supporting Documents](#)

- c. Luis Peralta v. County of Los Angeles, et al.
Torrance Superior Court Case No. YC 065 218

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Sheriff's Department; settlement is recommended in the amount of \$350,000.

[See Supporting Documents](#)

- d. Dessie Hamilton v. County of Los Angeles, Ronald Sigur
Los Angeles Superior Court Case No. BC 448 499

This lawsuit concerns allegations that an employee of the Internal Services Department was subjected to a hostile work environment and gender discrimination; settlement is recommended in the amount of \$100,000.

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the December 17, 2012, meeting of the Claims Board.
6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Anthony Arutunian v. County of Los Angeles
CASE NUMBER	CV 12-2008 MWF CWx
COURT	United States District Court
DATE FILED	3/24/2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Adam Rose, Law Offices of Robert Starr
COUNTY COUNSEL ATTORNEY	Edwin A. Lewis
NATURE OF CASE	<p>Plaintiff claims that on February 22, 2012, he was an inmate in the Los Angeles County jail system and was housed in the wrong location resulting in a fight with other inmates.</p> <p>The Defendants contend that the Plaintiff started a fight with other inmates resulting in his injuries.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$35,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 40,349

PAID COSTS, TO DATE \$ 2,525

Case Name: Anthony Arutunian v. County of Los Angeles



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:	Monday, February 22, 2010; approximately 8:30 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Anthony Arutunian v. County of Los Angeles</u> Summary Corrective Action Plan No. 2012-042</p> <p>On Friday, February 19, 2010, the plaintiff was arrested for a violation of California Penal Code section 261.5(c), an offense pertaining to unlawful sexual intercourse with a minor. On Monday, February 22, 2010, at approximately 8:30 p.m., while incarcerated in the Los Angeles County Sheriff's Department's Men's Central Jail, the plaintiff was involved in an altercation with as many as three other inmates.</p>

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

In his lawsuit, the plaintiff alleged that he was assaulted because he was temporarily housed in the wrong location and the three inmates with whom he was initially housed knew he was incarcerated on a sex-related offense.

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 this incident.

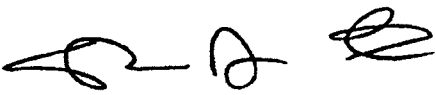
The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

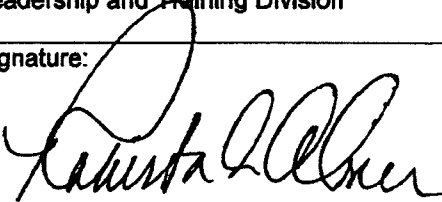
The circumstances in this case were reviewed by representatives of the Los Angeles County Sheriff's Department's Men's Central Jail. Their review concluded the plaintiff was temporarily assigned to a general jail population housing module, but the error was quickly identified and corrected. The review also revealed no evidence the plaintiff's arrest charge was a factor in the incident. No systemic issues were identified, and the specific employees who may have been involved in the incident could not be identified. Consequently, no administrative action was taken and no corrective action measures are recommended nor contemplated.

County of Los Angeles
Summary Corrective Action Plan

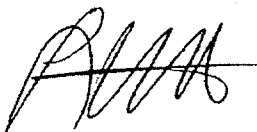
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 12/13/12

Name: (Department Head)	
Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 12/17/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 1-3-13

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Veronica A. Rodriguez, Edlyn Betancourt, Jennifer Betancourt (A Minor)
CASE NUMBER	N/A
COURT	N/A
DATE FILED	September 29, 2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 25,500 (Aggregate)
ATTORNEY FOR PLAINTIFF	Law Office of Harout Balian
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	This is a claim alleging motor vehicle negligence which occurred on April 2, 2011, in which a Sheriff's Department patrol unit was broad-sided as it proceeded through a stop sign-controlled residential intersection at Mansel Avenue and 104 th Street, in the unincorporated County area, while en-route to an emergency call. Each of the claimants alleged injuries, including soft tissue injuries to their neck and back, with one claimant receiving a fractured right ankle.

Due to the risks and uncertainties of litigation, a full and final settlement of the case in the aggregate amount of \$25,500 is recommended.

PAID ATTORNEY FEES, TO DATE \$ 0

PAID COSTS, TO DATE \$ 0

Case Name: Non-Litigated Claims of Rodriguez and Betancourt



Summary Corrective Action Plan

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Date of incident/event:	Saturday, April 2, 2011, approximately 3:23 p.m.
Briefly provide a description of the incident/event:	<p><u>Non-Litigated Claims of Veronica A. Rodriguez, Edlyn Betancourt, and Jennifer Betancourt (a minor)</u> Summary Corrective Action Plan No. 2012-043</p> <p>On Saturday, April 2, 2011, at approximately 3:23 p.m., a Los Angeles County deputy sheriff was driving a standard, black and white, County-owned patrol vehicle with emergency lights and sirens north on Mansel Street when the vehicle he was driving collided with the plaintiff's vehicle in the intersection with 104th Street (Unincorporated Los Angeles County).</p>

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

The traffic collision was thoroughly investigated by representatives from the California Highway Patrol and the Los Angeles County Sheriff's Department. Their investigations concluded that the deputy sheriff, although exempt from the California Vehicle Code pursuant to section 21055, Exemption of Authorized Emergency Vehicles, nonetheless, caused the traffic collision by failing to drive with due regard for the safety of persons using the highway, a violation of California Vehicle Code section 21056, Effect of Exemption, by failing to stop for a posted stop sign.

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 this incident.


The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

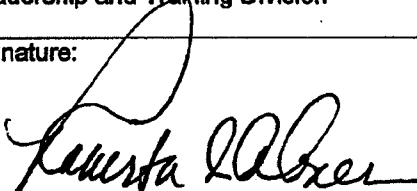
The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

County of Los Angeles
Summary Corrective Action Plan


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 Branch for assistance).

- Potentially has Countywide implications.
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- Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 12/7/12

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 12/10/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 12/20/2012

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Luis Peralta v. County of Los Angeles, et al.
CASE NUMBER	YC 065218
COURT	Los Angeles County Superior Court
DATE FILED	July 22, 2011
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 350,000
ATTORNEY FOR PLAINTIFF	Michael Alder Alderlaw PC
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on December 7, 2010, at the intersection of Imperial Highway and Freeman Avenue, in Hawthorne, when Sheriff's Deputy Josue Torres rear-ended the vehicle driven by plaintiff Luis Peralta. Mr. Peralta claims he sustained injuries as a result of the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 37,308.50

PAID COSTS, TO DATE

\$ 26,797.79

Case Name: Luis Peralta v. County of Los Angeles, et al.



Summary Corrective Action Plan

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Date of incident/event:	Tuesday, December 7, 2010; approximately 12:27 p.m.
Briefly provide a description of the incident/event:	<p><u>Luis Peralta v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-041</p> <p>On Tuesday, December 7, 2010, at approximately 12:27 p.m., a Los Angeles County deputy sheriff was driving a standard, black and white, County-owned patrol vehicle west on Imperial Highway, east of Freeman Avenue, Hawthorne, when the vehicle he was driving collided with the rear of the plaintiff's vehicle.</p>

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

This incident was thoroughly investigated by representatives from the Hawthorne Police Department and the Los Angeles County Sheriff's Department. Their investigations concluded that the deputy sheriff caused the traffic collision. As a result, appropriate administrative action was taken.

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 this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.


The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Consequently, appropriate administrative action was taken.


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County of Los Angeles
Summary Corrective Action Plan


3. State if the corrective actions are applicable to only your department or other County departments:
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- Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 12/7/12

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 12/10/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 12/20/2012

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COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

December 17, 2012

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, Steven NyBlom, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Jennifer Lehman, Richard Kudo, Andrea Ross, Christopher Keosian, Joyce Aiello, Donna Koch; Sheriff's Department: Lynne Hughes; Department of Public Works: Michael Hayes; Department of Parks and Recreation: Anush Gambaryan; Public Health Department: Cynthia Harding, Raymond Low, and Angelo Bellomo; Office of the Public Defender: Terri Towery and Ruben Marquez; Community and Senior Services Department: Cynthia Banks and Jhony Acosta; Outside Counsel: L. Trevor Grimm, Catie Mathers, David Weiss, Ronda Jamgotchian and Lauren Thibodeaux.

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 9:34 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(g) below.

4. Report of actions taken in Closed Session.

At 12:05 p.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. **Ezequiel Jacobo, Sr., et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 11-07212

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

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

b. **Barry Bryant v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 416 994

This lawsuit concerns the County's indemnity action against Southern California Edison and Toribio's Landscape for \$227,500.

The Claims Board approved settlement of this matter whereby the County will accept the amount of \$145,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

c. **Katherine Meislin, Ned Meislin v. City of Hawthorne, et al.**
United States District Court Case No. CV 06-6692

This lawsuit concerns an alleged violation of civil rights committed by an employee of the Department of Public Health.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

d. **Brenda McElmore v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 462 662

This lawsuit concerns allegations that an employee of the Sheriff's Department was wrongfully terminated based on age and disability discrimination.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$25,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

e. **Mark Moffett v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 445 403

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$87,400.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

f. **Stephen Galindo v. County of Los Angeles**
United States District Court Case No. CV 07-07911

This lawsuit concerns allegations that an employee of the Public Defender's office was subjected to alleged disability and religious discrimination, and harassment.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$90,000.

Vote: Ayes: 2 - Steven NyBlom, and Patrick Wu
Abstention: 1 - John Naimo

**g. Vincent McCormack v. County of Los Angeles
United States District Court Case No. CV 11-08830**

This lawsuit concerns allegations that the Department of Community and Senior Services failed to properly compensate employees for overtime pay under the Federal Fair Labor Standards Act.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$169,500.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

5. Approval of the minutes of the December 3, 2012, meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, 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 12:10 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson