

CITY OF LOS ANGELES
CALIFORNIA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

93-2231



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

August 19, 1994

City Administrative Officer
City Attorney,
cc: Pat Hillerud
Treasurer
Police Commission

Controller: Room 220
Accounting Division F&A
Disbursement Division
Police Department

RE: SETTLEMENT OF CASE ENTITLED KEIKO LAREZ V. WILLIAM HOLCOMB, ET AL.,
U.S. DISTRICT COURT CASE NO. CV 87-03641-CBM

At the meeting of the Council held August 12, 1994, the following
action was taken:

Attached report adopted in open session.....	X
Attached motion () adopted.....	
Attached resolution adopted.....	
Ordinance adopted.....	
Motion adopted to approve attached report.....	
Motion adopted to approve attached communication.....	
To the Mayor for concurrence.....	
To the Mayor FORTHWITH.....	
Mayor concurred.....	8-17-94
Appointment confirmed.....	
Findings adopted in recess to closed session per Gov. Code. Sec. 54956.9(a).....	X
Negative Declaration adopted.....	
Categorically exempt.....	
Generally exempt.....	
EIR certified.....	
Tract map approved for filing with the County Recorder.....	
Parcel map approved for filing with the County Recorder.....	
Bond approved is No. _____ of Contract.....	
Resolution of acceptance of future street to be known as	

Elias Martinez

City Clerk
crm

steno\932231

AUG 26 1994

PLACE IN FILES
DEPUTY



Mayor's Time Stamp

RECEIVED

94 AUG 15 19:18

DEPUTY MAYOR

FORTHWITH

City Clerk's Time Stamp

94 AUG 15 19:04

CITY CLERK

SUBJECT TO MAYOR'S APPROVAL

COUNCIL FILE NO. 93-2231

COUNCIL DISTRICT NO. N\A

COUNCIL APPROVAL DATE August 12, 1994

RE: SETTLEMENT OF CASE ENTITLED KEIKO LAREZ V. WILLIAM HOLCOMB, ET AL.,

U.S. DISTRICT COURT CASE NO. CV 87-03641-CBM

LAST DAY FOR MAYOR TO ACT _____
(10 Day Charter requirement as per Charter Section 354)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR OFFICE USE ONLY

APPROVED

*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 354

DATE OF MAYOR APPROVAL OR DISAPPROVAL AUG 17 1994

AUG 19 1994

MAYOR
ACTING
ben

steno\932231

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your

BUDGET AND FINANCE

Committee

reports as follows:

Public Comments: Yes No
Closed
Session

BUDGET AND FINANCE COMMITTEE REPORT relative to settlement of case entitled Keiko Larez v. William Holcomb, et al., U.S. District Court Case No. CV 87-03641-CBM (Complaint relative to detention by police).

Recommendations for Council action, as recommended by the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROPRIATE \$152,367.25 from the Liability Claims Account in the Unappropriated Balance to the City Attorney Liability Claims Account No. 9770.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to Keiko Larez and Yagman and Yagman, her attorneys of record, to permit settlement of the above-entitled matter.

Analysis of corrective action: Confidential. If the Council wishes to consider this information, the City Attorney recommends that it do so in Closed Session pursuant to Govt. Code Section 54956.9(a).

SUBJECT FILE TO BE TRANSMITTED TO THE MAYOR FORTHWITH.

SUMMARY

The City Attorney reports that this action arises out of an incident on June 8, 1986, in which Police Detective William Holcomb began investigating a fatal gang-related shooting that occurred in East Los Angeles. Officers at the Hollenbeck Station informed Det. Holcomb that an eyewitness had provided information regarding the possible identity and location of the suspected gunman. This suspect was identified as Eddie Larez, brother of Keiko Larez, the plaintiff in this case.

Det. Holcomb dispatched undercover officers to observe the activities at and around the Larez home. Within an hour and a half, the officers observed a man, later identified to be Richard Jimenez who fit the description of the suspect, leave the Larez residence with Keiko Larez. The officers radioed Holcomb who was at the station, and were instructed to detain Keiko Larez and Richard Jimenez.

reports as follows:

Keiko Larez and Det. Holcomb have different accounts of the subsequent incidents. According to Larez, she was handcuffed and placed in a police car with Richard Jimenez; then held at the location until Det. Holcomb arrived, at which time she was questioned while handcuffed and then transported with Jimenez to the station in the same police car.

According to Det. Holcomb, Keiko Larez was briefly handcuffed and placed in a police car with Jimenez, then upon his arrival, removed from the car and briefly questioned while Jimenez was driven away by other officers. Keiko Larez then agreed to go to the station for questioning and was transported by Officers Martinez and Granados.

At the station, she was placed in a cell for questioning. According to Keiko Larez, she was in handcuffs. According to Det. Holcomb, she was not in handcuffs. Det. Holcomb states that he placed her in the cell so that she would not be seen by other persons during questioning.

She was released about half an hour later and driven to an area several blocks from her home and released. According to Det. Holcomb, this was done at her own request because she did not want to be seen with the police. According to Keiko Larez, this was done as an act of hostility.

Keiko Larez filed suit against Det. Holcomb, alleging that she had been seized in violation of her civil rights. A jury returned a verdict in favor of Keiko Larez, awarding her \$5,000 in compensatory and \$50,000 in punitive damages against Det. Holcomb. The court, in addition, awarded attorneys' fees in the amount of \$45,000 to Yagman and Yagman for the time spent on the case.

Det. Holcomb appealed, alleging, among other things, that the District Court had erred 1) in instructing the jury that the City would pay all compensatory damages, and 2) in allowing Mr. Yagman to argue that the City would also pay all punitive damages against Det. Holcomb.

On appeal, the defendants prevailed in its claim that the instruction and argument were erroneous. However, the U.S. Court of Appeals for the Ninth Circuit affirmed the verdict as to liability while remanding the case for a redetermination of damages and additional attorneys' fees for the past trial, the appeal, and any new trial.

A new trial date was set for August 1, 1994, with a final settlement conference scheduled for July 29, 1994. The attorneys for both sides have engaged in extensive settlement negotiations since the return of the appeal and the plaintiff is now willing to settle her case for \$152,367.25, inclusive of attorneys' fees. This settlement is also recommended by the District Court Judge, the Honorable Constance B. Marshall.

Your

BUDGET AND FINANCE

Committee

reports as follows:

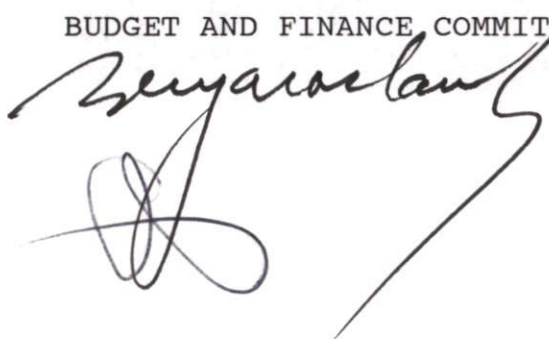
The City Attorney's Office recommends the proposed settlement. The Office has gained the advantage of a favorable ruling on appeal relative to the ruling of the District Court Judge and argument of the plaintiff's attorney that the City will pay punitive and compensatory damages for its employees.

This proposed settlement takes into account a realistic evaluation of the plaintiff's potential attorneys' fees even considering a minimal verdict from the new trial. A jury could award damages which when combined with the court's determination of attorneys' fees for two trials and an appeal could greatly exceed the proposed settlement.

At its meeting of 8-2-94, in Closed Session as permitted by Govt. Code Section 54956.9(a), your Committee concurred with the recommendations of the City Attorney and now submits the matter for Council consideration.

Respectfully submitted,

BUDGET AND FINANCE COMMITTEE



JL
8-8-94

#932231

Rept.
ADOPTED
in open session
AUG 12 1994

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

*Findings Adopted to Recess
to Closed Session per Gov. Code
Section 54956.9(a)*

FINDINGS

Adopted to Revert to Closed Session per Gov. Code 54952.9(a)

AGENDA NO. 7	YES: 10	NO: 0	ABS: 5	08/12/94	TIME: 11 27 53
ALARCON.....YES	CHICK.....YES	GALANTER.....YES	GOLDBERG.....YES		
HERNANDEZ.....YES	RIDLEY-THOMASYES	SVORINICH.....YES	WACHS.....YES		
YAROSLAVSKY..YES	FERRARO.....YES	ALATORRE.....ABS	BERNSON.....ABS		
BRAUDE.....ABS	HOLDEN.....ABS	WALTERS.....ABS			

Failed to Adopt - Later Reconsidered

AGENDA NO. 7	YES: 7	NO: 3	ABS: 5	08/12/94	TIME: 11 42 06
ALARCON.....YES	CHICK.....YES	GALANTER.....YES	GOLDBERG.....NO		
HERNANDEZ.....YES	RIDLEY-THOMASNO	SVORINICH.....YES	WACHS.....NO		
YAROSLAVSKY..YES	FERRARO.....YES	ALATORRE.....ABS	BERNSON.....ABS		
BRAUDE.....ABS	HOLDEN.....ABS	WALTERS.....ABS			

Reconsidered & Adopted Comte Rept in Open Session

AGENDA NO. 7	YES: 9	NO: 2	ABS: 4	08/12/94	TIME: 11 45 52
ALARCON.....YES	BERNSON.....YES	CHICK.....YES	GALANTER.....YES		
GOLDBERG.....NO	HERNANDEZ.....YES	RIDLEY-THOMASYES	SVORINICH.....YES		
WACHS.....NO	YAROSLAVSKY..YES	FERRARO.....YES	ALATORRE.....ABS		
BRAUDE.....ABS	HOLDEN.....ABS	WALTERS.....ABS			

7

BUDGET AND FINANCE COMMITTEE
Report/~~Communication~~ for Signature

Council File Number

93-2231

Committee Meeting Date

8-2-94

Council Date

8-12

COMMITTEE MEMBER	YES	NO	ABSENT
COUNCIL MEMBER YAROSLAVSKY, Chair	✓		
COUNCIL MEMBER ALATORRE	✓		
COUNCIL MEMBER GALANTER			✓

Remarks

Settlement, Larez

June Lagmay, Legislative Assistant ♦♦♦♦♦ Telephone 485-4467

SETTLEMENT

Petitioner/communicant _____

Council office(s) _____

City Administrative Officer

City Attorney CC: Pat Hillerud

Chief Legislative Analyst

Controller

Treasurer

Information Services Dept.

Concerned dept.
If police misconduct,
I send to Police Dept & Police
Cmsn

Building and Safety

City Clerk, Calendar Sec.

City Clerk, Admin Svcs

City Clerk, Tax & Permit

Community Development Dept.

Cultural Affairs

Fire Dept / Commission

General Services

Personnel Dept.

Planning

Police Dept / Commission

Board of Public Works

PW - Bureau of Accounting

PW - Bureau of Engineering

PW - Bureau of Sanitation

PW - Bureau of Street Maint

Transportation

Recreation and Parks

Water and Power

Department _____

CF 93-2231

August 12, 1994

M E M O R A N D U M T O F I L E

The City Council held a Closed Session on Friday, August 12, 1994, after adopting the necessary Findings, pursuant to authority provided in California Government Code Section 54956.9(a), and conferred with its legal counsel with respect to settlement in litigation case entitled Keiko Larez v. William Holcomb, et al., U. S. District Court Case No. CV 87-03641-CBM (complaint relative to detention by police).

The purpose of this memorandum is to note for the record that the Council discussed this matter on the above date in Closed Session and adopted the attached Budget and Finance Committee Report in Open Session with respect to the subject litigation.



DIAN M. TITUS
Legislative Assistant II/Minute Clerk

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

93-2231

July 29, 1994

BUDGET AND FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to recommendation for settlement: Keiko Larez v. William Holcomb, et al., United States District Court Case No. CV 87-03641-CBM, was referred on July 28, 1994, to the BUDGET AND FINANCE COMMITTEE.

City Clerk
amm





JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

CRIMINAL BRANCH
(213) 485-5452

CIVIL BRANCH
(213) 485-6370

WRITER'S DIRECT DIAL

NUMBER _____

R94-0235
REPORT NO. _____
JUL 26 1994

REPORT RE:

KEIKO LAREZ v. WILLIAM HOLCOMB, et al.
UNITED STATES DISTRICT COURT CASE NO. CV 87-03641-CBM

RECOMMENDATION FOR SETTLEMENT

(SEE ACCOMPANYING CONFIDENTIAL ADDENDUM REPORT)

The Honorable City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, California 90012

(Re: No claim filed)

Honorable Members:

It is respectfully requested that an appropriation be made to the City Attorney Liability Claims Account No. 9770 to pay a total of \$152,367.25 in settlement of the above-entitled matter. It is further requested that the City Attorney's Office be authorized to draw a demand in the sum of \$152,367.25 made payable to KEIKO LAREZ and YAGMAN AND YAGMAN, her attorneys of record.

This action arises out of an incident on June 8, 1986 in which Detective William Holcomb began investigating a fatal, gang-related shooting that occurred in East Los Angeles. Officers at the Hollenbeck Station of the Los Angeles Police Department informed Detective Holcomb that an eyewitness had provided information regarding the possible identity and location of the suspected gunman. The suspect was identified as Eddie Larez, the brother of Keiko Larez, the plaintiff in this case.

BUDGET AND FINANCE
JUL 28 1994



Detective Holcomb dispatched undercover officers to observe the activities at and around the Larez home. Within an hour and a half, the officers observed a man, later identified to be Richard Jimenez, who fit the description of the suspect leave the Larez residence with Keiko Larez. The officers radioed Holcomb who was at the station and were instructed to detain Keiko Larez and Richard Jimenez.

Keiko Larez and Detective Holcomb have different accounts of the subsequent incidents. According to Larez she was handcuffed and placed in a police car with Richard Jimenez; then, held at the location until Detective Holcomb arrived, at which time she was questioned while handcuffed and then transported with Jimenez to the station in the same police car.

According to Detective Holcomb, Keiko Larez was briefly handcuffed and placed in a police car with Jimenez, then upon his arrival removed from the car and briefly questioned while Jimenez was driven away by other officers. Keiko Larez then agreed to go to the station for questioning and was transported by Officers Martinez and Granados.

At the station, she was placed in a cell for questioning. According to Keiko Larez, she was in handcuffs. According to Detective Holcomb, she was not in handcuffs. Detective Holcomb states that he placed her in the cell so that she would not be seen by other persons during the questioning.

She was released about half an hour later and driven to an area several blocks from her home and released. According to Detective Holcomb, this was done at her own request because she did not want to be seen with the police. According to Keiko Larez, this was done as an act of hostility.

Keiko Larez filed suit against Detective Holcomb alleging that she had been seized in violation of her civil rights. A jury returned a verdict in favor of Keiko Larez, awarding her \$5,000 in compensatory and \$50,000 in punitive damages against Detective Holcomb. The court, in addition, awarded attorneys fees in the amount of \$45,000 to Yagman and Yagman for the time spent on the case.

Detective Holcomb appealed alleging, among other things, that the District Court had erred in; 1) instructing the jury that the City of Los Angeles would pay all compensatory damages; and, 2) in allowing Mr. Yagman to argue that the City of Los Angeles would also pay all punitive damages against Detective Holcomb.

On appeal, the defendants prevailed in its claim that the instruction and argument were erroneous. However, the United States Court of Appeals for the Ninth Circuit affirmed the verdict as to liability while remanding the case for a redetermination of damages and additional attorney's fees for the past trial, the appeal and any new trial.

A new trial date has been set for August 1, 1994 with a final settlement conference scheduled for July 29, 1994. The attorneys for both sides have engaged in extensive settlement negotiations since the return of the appeal and the plaintiff is now willing to settle her case for \$152,367.25, inclusive of attorney's fees. This settlement is also recommended by the District Court Judge, Honorable Constance B. Marshall.

This Office recommends the proposed settlement. The Office has gained the advantage of a favorable ruling on appeal relative to the ruling of the District Court Judge and argument of the plaintiff's attorney that the City will pay punitive and compensatory damages for its employees.

This proposed settlement takes into account a realistic evaluation of the plaintiff's potential attorneys fees even considering a minimal verdict from the new trial. A jury could award damages which when combined with the court's determination of attorney's fees for two trials and an appeal could greatly exceed the proposed settlement. It therefore appears to be in the best economic interest of the City to accept the proposed settlement.

If your Honorable Body approves the above recommendation, it is respectfully requested that this Office be authorized to draw a demand made payable as set forth in the first page of this letter.

The Honorable City Council
City of Los Angeles
Page 4

This Office will obtain the necessary release and dismissal of the above-entitled action before forwarding the draft to the plaintiff, and her attorney.

Very truly yours,

JAMES K. HAHN, City Attorney
THOMAS C. HOKINSON, Senior Assistant
City Attorney

By

THEODORE D. HEYCK
Deputy City Attorney

TDH:ms
Telephone: (213) 485-0735

cc: Cliff Weiss
Los Angeles Police Commission

William B. Williams, Chief of Police
Los Angeles Police Department

Detective Larry Shelley
City Council Liaison Officer
Los Angeles Police Department

APPROVED
<i>[Signature]</i>
RELEASED

CITY OF LOS ANGELES
CALIFORNIA

NANCY RUSSELL
City Clerk

J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

93-2231



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - 485-5703
General Information - 485-5705

Pat Healy
Chief Legislative Assistant

December 21, 1993

PLACE IN FILES
JAN 06 1994
DEPTV

City Administrative Officer
City Attorney
cc: Pat Hillerud
Treasurer
Police Department

Police Commission
Controller, Room 220
Accounting Division, F & A
Disbursement Division

RE: SETTLEMENT OF CASE ENTITLED JESSIE LAREZ ET AL. V. CITY OF LOS ANGELES,
U.S. DISTRICT COURT CASE NO. CV 87-03640 RMT (JRX)

At the meeting of the Council held December 15, 1993, the following
action was taken:

Attached report adopted.....	X
" motion " ().....	
" resolution " ().....	
Ordinance adopted.....	
Motion adopted to approve attached report.....	
" " " " communication.....	
To the Mayor for concurrence.....	
To the Mayor FORTHWITH.....	
Mayor concurred.....	12-20-93
Appointment confirmed.....	
Findings adopted.....	
Negative Declaration adopted.....	
Categorically exempt.....	
Generally exempt.....	
EIR certified.....	
Tract map approved for filing with the County Recorder.....	
Parcel map approved for filing with the County Recorder.....	
Bond approved is No. _____ of Contract.....	
Resolution of acceptance of future street to be known as _____ adopted.....	
Attach a copy of follow-up Department Report to file.....	
Agreement mentioned therein is/are No. _____ of contracts.....	

Nancy Russell

City Clerk
bs

932231

JP 11-5-94

Long
St. John

Mayor's Time Stamp

City Clerk's Time Stamp

RECEIVED

'93 DEC 17 11:03

DEPUTY MAYOR

FORTHWITH

CITY CLERK

'93 DEC 17 11:41

FILED
CITY CLERK

SUBJECT TO MAYOR'S APPROVAL

COUNCIL FILE NO. 93-2231

COUNCIL DISTRICT NO. _____

COUNCIL APPROVAL DATE December 15, 1993

RE: SETTLEMENT OF CASE ENTITLED JESSIE LAREZ ET AL. V. CITY OF LOS ANGELES,
U.S. DISTRICT COURT CASE NO. CV 87-03640 RMT(JRX)

LAST DAY FOR MAYOR TO ACT

12/27

DO NOT WRITE BELOW THIS LINE - FOR MAYOR OFFICE USE ONLY

APPROVED

✓

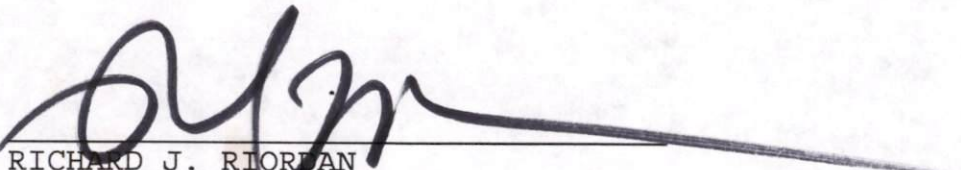
*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 354

DEC 20 1993

DATE OF MAYOR APPROVAL OR DISAPPROVAL _____

DEC 21 1993


RICHARD J. RIORDAN
MAYOR

BUDGET AND FINANCE COMMITTEE
Report/Communication for Signature

24

Council File Number

93-2231

Committee Meeting Date

12-7

Council Date

12-15

COMMITTEE MEMBER	YES	NO	ABSENT
COUNCIL MEMBER YAROSLAVSKY, Chair	✓		
COUNCIL MEMBER ALATORRE	✓		
COUNCIL MEMBER GALANTER			✓

Remarks

Settlement: Sarez

June Lagmay, Legislative Assistant ♦♦♦♦♦ Telephone 485-4467

TO THE COUNCIL OF THE
CITY OF LOS ANGELESYour
reports as follows:

BUDGET AND FINANCE

Committee

Yes NoPublic Comments: X

BUDGET AND FINANCE COMMITTEE REPORT relative to settlement of case entitled Jessie Larez et al. v. City of Los Angeles, U.S. District Court Case No. CV 87-03640 RMT(JRx) (Litigation involving Police Department).

Analysis of corrective action as instructed by Motion (Goldberg-Galanter) not required in this case, as Council has already been briefed on this case.

Recommendations for Council action, as recommended by the City Attorney, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROPRIATE \$220,000.00 from the Liability Claims Account in the Unappropriated Balance to the City Attorney Liability Claims Account No. 9770.
2. AUTHORIZE the City Attorney to draw demands thereon in various sums totaling that amount made payable to Jessie Larez, Armida Larez, Alberdee Larez, Frank Larez, Katsumi Larez, Diane Larez, Keiko Larez and the Law Offices of Yagman and Yagman, to permit settlement of the above-entitled matter.

SUBJECT FILE TO BE TRANSMITTED TO THE MAYOR FORTHWITH.

SUMMARY

The City Attorney reports that on November 10, 1993, the City Council authorized the City Attorney to extend the above settlement offer which has been accepted by the plaintiffs. This report finalizes settlement as agreed by the parties.

At its meeting of 12-7-93, your Committee concurred with the recommendations of the City Attorney and now submits the matter for Council consideration.

Respectfully submitted,

BUDGET AND FINANCE COMMITTEE

Rept.
ADOPTEDJL
12-9-93
#932231

DEC 15 1993

LOS ANGELES CITY COUNCIL

MAYOR WITH FILE TO THE MAYOR FORTHWITH

TO THE PRESIDENT OF THE UNITED STATES
FOR THE SECRETARY OF THE ARMY
DEC 12 1993

+++++
AGENDA NO. 24 YES: 14 NO: 0 ABS: 1
ALARCON.....YES ALATORRE.....YES BERNSON.....YES BRAUDE.....YES
CHICK.....YES GALANTER.....YES GOLDBERG.....YES HERNANDEZ.....YES
HOLDEN.....YES RIDLEY-THOMASYES SVORINICH.....YES WACHS.....YES
WALTERS.....YES FERRARO.....YES YAROSLAVSKY..ABS
+++++

TIME: 12/15/93 11 58 57

NANCY RUSSELL
City Clerk

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - 485-5703
General Information - 485-5705

Pat Healy
Chief Legislative Assistant

NUR
J. Michael Carey
Executive Officer

When making inquiries
relative to this matter
refer to File No.

93-2231

November 24, 1993

BUDGET AND FINANCE COMMITTEE

In accordance with Council Rules, communication from the City Attorney relative to recommendation for settlement: Jessie Larez, et al. v. City of Los Angeles, United States District Court Case No. CV 87-03640 RMT (JRx), was referred on November 23, 1993 to the BUDGET AND FINANCE COMMITTEE.

Nancy Russell

City Clerk
jv





JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

EXECUTIVE OFFICE
1800 CITY HALL EAST
LOS ANGELES 90012
(213) 485-5408

CRIMINAL BRANCH
(213) 485-5470

CIVIL BRANCH
(213) 485-6370

TELECOPIER:
(213) 680-3634

R 93 -0488

REPORT NO. _____

NOV 18 1993

REPORT RE:

JESSIE LAREZ, et al. v. CITY OF LOS ANGELES
UNITED STATES DISTRICT COURT CASE NO. CV 87-03640 RMT (JRx)

RECOMMENDATION FOR SETTLEMENT

The Honorable City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, California 90012

Honorable Members:

It is respectfully requested that an appropriation be made to the City Attorney Liability Claims Account No. 9770 in the amount of \$220,000 to finalize settlement of the above entitled matter. It is further requested that this Office be authorized to draw demands in various sums totalling that amount made payable to: Jessie Larez, Armida Larez, Alberdee Larez, Frank Larez, Katsumi Larez, Diane Larez, Keiko Larez and the Law Offices of Yagman and Yagman.

On November 16, 1993, your Honorable Body authorized our office to extend the above offer which has been accepted by the plaintiffs. Accordingly, we recommend settlement be finalized as agreed by the parties.

This Office will obtain the necessary releases and

BUDGET AND FINANCE
NOV 23 1993



NOV 12 1993

3X _____ DEPT

CITY CLERK

93 NOV 22 A9:37

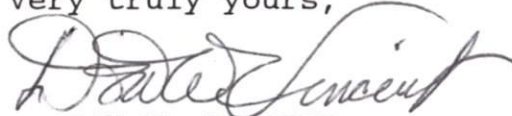
FILED
CITY CLERK

NOV 23 1993
BUDGET AND FINANCE

The Honorable City Council
City of Los Angeles
Page 2.

dismissals of the plaintiffs' action before forwarding the draft to the aforementioned parties.

Very truly yours,



DON W. VINCENT
Deputy City Attorney


DWV:mc
(213) 485-1429

cc: Cliff Weiss
Los Angeles Police Commission

Willie L. Williams, Chief of Police
Los Angeles Police Department

Detective Larry Shelley
City Council Liaison Officer
Los Angeles Police Department

APPROVED
RELEASED



CF 93-2231

November 19, 1993

M E M O R A N D U M T O F I L E

The City Council held a Closed Session on Wednesday, November 10, 1993, pursuant to authority provided in California Government Code Section 54956.9(a) in accordance with the findings in the attached Motion (Ferraro - Yaroslavsky) to confer with the City Attorney, with respect to litigation entitled Jessie Larez v. City of Los Angeles, et al., United States District Court, Case No. CV 87-3640 RMT and Keiko Larez v. William Holcomb, United States Court Case No. CV 87-3641 CBM.

The purpose of this memorandum is to note for the record that action was taken on the above date by the City Council in Closed Session with respect to the legal representation in the above litigation.

Sandra L. Grange

Sandra L. Grange
Legislative Assistant
Minute Clerk

calagend\932231

PLACE IN FILES

NOV 19 1993

DEPUTY

MOTION

SPECIAL 2

WHEREAS, the Council agenda for Wednesday, November 10, 1993 was posted on November 5; and

WHEREAS, the City is currently involved in trial in the case of Jessie Larez v. City of Los Angeles, et al., United States District Court, Case No.: CV 87-3640 RMT and Keiko Larez v. William Holcomb, United States Court Case No.: CV 87-3641 CBM; and

WHEREAS, subsequent to the posting of the agenda for Nov. 7, there have been developments in the matter that require further review of the facts and circumstances with the City Attorney and action by the Council,

NOW, THEREFORE, I MOVE that the City Council, under the authority of Government Code Section 54954.2(b) (2) and Council Rule 23 determine by at least 10 votes that the need to take action in this matter arose subsequent to the posting of today's Council agenda; and

I FURTHER MOVE that if the Council so determines, that thereafter, under the authority of Government Section 54956.9 (a) it meets in closed session to confer with and receive advice from its legal counsel, the City Attorney, regarding the above named cases.

FINDINGS & MO.


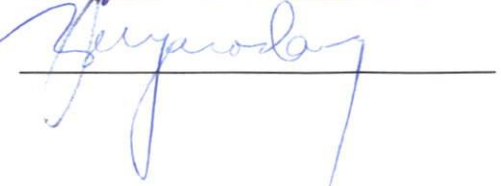
ADOPTED

NOV 10 1993

LOS ANGELES CITY COUNCIL

Presented by

Seconded by

FINDINGS ADOPTED

+++++ TIME:
AGENDA NO. 02 YES: 11 NO: 0 ABS: 4 11/10/93 11 17 27
ALARCON.....YES ALATORRE.....YES BRAUDE.....YES CHICK.....YES
GALANTER.....YES GOLDBERG.....YES HOLDEN.....YES RIDLEY-THOMASYES
SVORINICH.....YES YAROSLAVSKY..YES FERRARO.....YES BERNSON.....ABS
HERNANDEZ....ABS WACHS.....ABS WALTERS.....ABS
+++++

93-2231/1 DOCUMENT= 4 OF 4 PAGE = 1 OF 3
FILE 93-2231
RECNO 001
AUTHOR Ferraro Mover 1993 - Yaroslavsky
SUBJECT Special Mo 2 - The Council agenda for Wednesday, 11-10-93 was posted on 11-5-93. The City is currently involved in trial in case of Jessie Larez vs City of Los Angeles, et al, United States District Court

Case No CV 87-3640 RMT and Keiko Larez vs William Holcomb, United States Court Case No CV 87-3641 CBM. Subsequent to the posting of the agenda for 8-7-93, there have been developments in the matter that require further review of the facts and circumstances with the City Atty and action by the Council. NOW THEREFORE MOVE that the City Council under the authority of Government Code Section 54945.2(b)(2) and Council Rule 23 determine by at least 10 votes that the need to take action on this matter arose subsequent to the posting of today's Council agenda. FURTHER MOVE that if the Council so determines, that thereafter, under the authority of Government Code Section 54956.9(a) it meets in closed session to confer with and receive advice from its legal counsel, the City Atty, regarding the above named cases
SEE CFS 88-2304 and 88-2304-S1

DATEREC 11-10-93

4BÜ Aa B0--SESSION1 R 22 C 2 10:56 11/29/93
93-2231/1 DOCUMENT= 4 OF 4 PAGE = 2 OF 3
ACTIONS 11-10-93 - This days Ccl session- File to Cal Clk
11-10-93 - Mo & Findings ADOPTED
11-10-93 - Ccl held a Closed Session on Wednesday, 11-10-93, pursuant to authority provided in California Government Code Section 54956.9(a) in accordance with the findings in the attached Mo (Ferraro-Yaroslavsky) to confer with the City Atty, with respect to litigation entitled Jessie Larez v City of Los Angeles, et al, US District Court, Case CV 87-3640 RMT & Keiko Larez v William Holcomb, US Case CV 87-3641 CBM.
The purpose of this memo is to note for the record that action was taken on the above date by Ccl in Closed Session with respect to the legal representation in the above litigation.
11-19-93 - File in files
11-22-93 - For ref - Atty R93-0488 - Req Ccl approve an appropriation being made to City Atty Liability Claims Acct No 9770 in the amt of \$220,000 (220000) to finalize settlement of case entitled Jessie Larez, et al vs City of Los Angeles, United States District Court Case No CV 87-03640 RMT (JRx). It is further requested that City Atty Office be authorized to draw demands in various sums totalling that amount payable to: Jessie Larez, Armida Larez, Alberdee Larez, Frank

4BÜ Aa B0--SESSION1 R 22 C 2 10:56 11/29/93
93-2231/1 DOCUMENT= 4 OF 4 PAGE = 3 OF 3
Larez, Katsumi Larez, Diane Larez, Keiko Larez and the Law Offices of Yagman and Yagman.
STATUS O

I0601 * End of documents in list. Press ENTER or enter another command.