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MICHAEL N. FEUER
City Attorney

REPORT NO. R 15 - 0 2 3 6
SEP 11 2015

REPORT RE:

**STATUS OF LIABILITY ACCOUNTS
END OF FISCAL YEAR 2014-15**

The Honorable Budget & Finance Committee
of the City of Los Angeles
Room 1010, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

The City Attorney's Office has been requested to periodically report to your Honorable Committee on the status of General Fund Liability Accounts 9760 and 9770. This report provides the status of these two accounts for the Fiscal year ended June 30, 2015.

The following chart recaps the status of the liability accounts as of June 30, 2015. A listing of the individual cases paid out of Account 9770 is provided on Attachment A of this report.

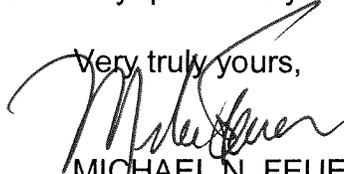
ACCOUNT	AVAILABLE*	EXPENDED/ COMMITTED**	BALANCE
9760	\$8,745,000	\$8,599,072	\$145,928
9770	\$57,260,000	\$57,247,321	\$12,679
TOTALS	\$66,005,000	\$65,846,393	\$158,607

* Includes \$6 million set aside in the Unappropriated Balance and supplemental transfers during the fiscal year.

** Total amounts paid and/or authorized by City Council for payment this fiscal year as of 6/30/2015. See Attachment A.

Honorable Budget & Finance Committee
of the City of Los Angeles
Page 2 of 2

If you have any questions regarding this matter, please contact Chief Assistant Thomas Peters at (213) 978-8277. He or other members of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER
City Attorney

MNF:gbs
Attachment

cc: Honorable Eric Garcetti, Mayor
Honorable Members of the City Council
General Managers

LIABILITY CLAIMS FISCAL YEAR 2014/15
PAYOUTS THROUGH JUNE 30, 2015
ACCOUNT 9770

Case Name/Case Number	Case Description	Authority	Date Approved by City Council	Total General Fund Payout Authorized by City Council Col. A	Total Paid in Prior Fiscal Years Col. B	FISCAL YEAR 2014/15		
						Total Payout Due FY15 Col. C	Total Paid FY15 as of 6/30/15 Col. D	Balance Due FY15 Col. C minus D Col. E
Aichele, Cheryl CV12-10863	This is a large class-action, injunctive relief lawsuit filed on behalf of five individuals. Plaintiffs claim constitutional rights violations by LAPD when they allegedly forced plaintiffs from the City Hall lawn area and arrested them.	CF14-0269	3/23/15	\$ 2,450,000		2,450,000	2,450,000	-
Anthony, Obie CV12-01332	Plaintiff alleged wrongful incarceration after their murder convictions were overturned.	CF15-0206	2/18/15	\$ 8,300,000		8,300,000	8,300,000	-
Avila, Leonard CV11-1326	Plaintiff alleged retaliation in the workplace.	CF14-1273	9/18/14	\$ 787,560		787,560	787,560	-
Azarmipour, Pauline BC466130	Inverse condemnation claim alleged that storm runoff water overflowing from City street caused a landslide and destroyed a retaining wall and portions of driveway.	CF15-0200	3/4/15	\$ 240,000		240,000	240,000	-
Beaird, Billy CV14-03740	Plaintiffs alleged wrongful death of their son who was shot by LAPD officers after a car pursuit with the victim.	CF14-1048	8/26/14	\$ 5,000,000		5,000,000	5,000,000	-
Chance, Clarence (see Note 1)	Plaintiff alleged wrongful arrest by LAPD.	CF93-0166	7/6/93	\$ 88,920		88,920	88,920	-
Concerned Citizens of South Central Los Angeles v. COLA, Appellate case no. B240301, Superior Court case no. BC389760	Plaintiff alleged that City breached contract to allow plaintiff to build a recreational complex included an option to purchase property for \$2.1 million.	CF14-0733	6/16/14	\$ 4,816,936		4,816,936	4,816,936	-
Diamond, Edward BC520626	Plaintiff tripped and fell on a 2" uplift at 1956 Levonina Avenue, allegedly causing causing temporary paralysis and requiring surgery.	CF15-040	5/20/15	\$ 400,000		400,000	400,000	-
Dowd, Matthew CV09-067731	This is a challenge by Dowd and others to the 2009 Rules of Decorum and Boardwalk ordinance.	CF14-1264	10/15/14	\$ 600,010		600,010	600,010	-
Dwyer, Grant PC054285	Plaintiff alleged that inadequate and poorly designed and maintained drainage system at the intersection contributed to the driver's loss of control on the flooded street.	CF1-1209	9/23/14	\$ 450,000		450,000	450,000	-
Farell, Loren/Baello, Juan BC491484	Plaintiff alleged retaliation in the workplace.	CF15-0421	4/7/15	\$ 945,381		945,381	945,381	-
Fernandez, Michael BC463184	Plaintiff alleged racial discrimination, harassment and retaliation in the workplace.	CF14-1270	10/15/14	\$ 1,750,000		1,750,000	1,750,000	-
Fuentes, Delmy CV14-06231	Plaintiffs allege wrongful death of decedent while in LAPD custody.	CF15-0405	4/7/15	\$ 2,000,000		2,000,000	2,000,000	-
Garcia, Juana Isabel Flores CV14-08868	Plaintiff alleged wrongful death of decedent while in police custody.	CF15-0286	3/31/15	\$ 1,350,000		1,350,000	1,350,000	-
Garrett, Anthony CV12-01670	Plaintiff alleged wrongful death of decedent during an officer-involved-shooting in 2011.	CF14-0890	8/13/14	\$ 500,000		500,000	500,000	-

**ATTACHMENT A
Public Report**

Case Name/Case Number	Case Description	Authority	Date Approved by City Council	Total General Fund Payout Authorized by City Council Col. A	Total Paid in Prior Fiscal Years Col. B	FISCAL YEAR 2014/15		
						Total Payout Due FY15 Col. C	Total Paid FY15 as of 6/30/15 Col. D	Balance Due FY15 Col. C minus D Col. E
Gasca, Ulysses BC505917	Plaintiff alleged discrimination and retaliation at LAPD.	CF14-1745	3/18/15	\$ 400,000		400,000	400,000	-
Haro, Tina CV02-9587	Plaintiffs alleged Fair Labor Standards Act (FLSA) violation at LAFD.	CF14-1527	3/18/15	\$ 125,502		125,502	125,502	-
Haro-Ackley	Plaintiffs alleged Fair Labor Standards Act (FLSA) violation at LAFD.	CF14-1527	11/14/14	\$ 4,799,519		4,799,519	4,799,519	-
Hill RHF Housing Partners BS238416 (see Note 2)	Claims against the City's Downtown Business Improvement District which settled for approximately \$500K, payable over five years.	CF12-1621	2/13/13	\$ 500,000	158,327	132,959	132,959	-
Horace, Theodosia BC483096	Plaintiff alleged he was injured when ambulance he was being transported in got involved in a multi-vehicle accident.	CF15-0068	1/20/15	\$ 200,000		200,000	200,000	-
Howard, Irma CV14-02781	Plaintiff alleged that LAPD officers used excessive force on decedent while in custody and withheld information from hospital staff resulting in incorrect medical treatment.	CF15-0333	4/22/15	\$ 1,750,000		1,750,000	1,750,000	-
Jackson, Ahmed CV13-04524	Plaintiff alleged that he was wrongly arrested for stealing a vehicle and that LAPD officers used excessive force on him.	CF15-0231	3/31/15	\$ 137,500		137,500	137,500	-
Jones, Edward Ninth Circuit Case No. 11-56240	Eight Plaintiffs challenge the City's enforcement of LAMC 41.18(3).	CF12-1676	9/10/14	\$ 725,000		725,000	725,000	-
Jordan, Michelle CV13-03152	Plaintiff alleged excessive use of force by LAPD during a traffic stop.	CF14-0942	8/25/14	\$ 550,000		550,000	550,000	-
Marshall, Ryan BC520570	Plaintiff alleged sexual harassment and retaliation at LAPD.	CF15-0259	3/2/15	\$ 975,000		975,000	975,000	-
Mesa RHF Housing BS140224 (see Note 3)	Claims against the City's Downtown Business Improvement District which settled for approximately \$100K, payable over five years.	CF13-1186	9/25/13	\$ 100,000	19,114	19,687	19,687	-
Miller, John/Rueda, Michael BC245514	Plaintiffs allege retaliation after they reported illegal activity by LAFD arson investigators.	CF15-0402	4/22/15	\$ 1,287,352		1,287,352	1,287,352	-
Moreno, Hector BC394249	Plaintiffs claim property damage brought about by a landslide. It is alleged that road cuts caused the landslide.	CF09-2783	5/27/15	\$ 2,218,175		2,218,175	2,218,175	-
Moses, Sandra CV14-05565	This case is brought by the mother of decedent, Alesia Thomas, and the latter's son. Alesia allegedly died while in the custody of LAPD officers. B45	CF15-0257	3/31/15	\$ 500,000		500,000	500,000	-
Navarro, Juvenal CV13-06080	Plaintiff alleged that LAPD falsely arrested his wife and used excessive force on him during a response to complaints of loud music from the plaintiff's home.	CF14-1050	8/20/14	\$ 150,000		150,000	150,000	-
Nelson, Judy BC524419	Plaintiff claimed serious physical injuries after a trip and fall allegedly caused by a raised tree well.	CF14-0762	7/30/14	\$ 245,000		245,000	245,000	-
Patel, Naranjibhai CV05-01571	Plaintiffs, motel owners, challenged the constitutionality of a City ordinance allowing police officers on-site access to motel records without a warrant.	CF14-1259	10/8/14	\$ 127,000		127,000	127,000	-

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						Total Payout Due FY15 Col. C	Total Paid FY15 as of 6/30/15 Col. D	Balance Due FY15 Col. C minus D Col. E
Perez, Armando BC501486	Plaintiff alleged retaliation after reporting illegal conduct of other officers regarding reselling of privately owned firearms for profit.	CF14-1271	9/17/14	\$ 900,000		900,000	900,000	-
Podesta, David BC478742	Plaintiff alleged retaliation, discrimination and harassment in the workplace.	CF15-0567	5/7/15	\$ 1,100,000		1,100,000	1,100,000	-
Ramon, Maria Demetrio BC387179 (see Note 4)	Plaintiff alleged wrongful death of her son and personal physical injuries after being hit by a third-party vehicle.	CF13-0499	7/5/13	\$ 3,500,000	2,000,000	1,500,000	1,500,000	-
Rodriguez, Alejandro C15-1217-1219	Claimants want their money which was confiscated by LAPD returned to them.	CF15-0568	5/7/15	\$ 439,854		439,854	439,854	-
Ruvalcaba, Maria CV12-06683	Plaintiffs alleged that LAPD mishandled situation with mentally distressed decedent by failing to call the Systemwide Mental Assessment Response Team (SMART). Decedent was fatally shot by LAPD officers.	CF14-1589	12/16/14	\$ 750,000		750,000	750,000	-
Sarkiszadeh, Alan BC493739	Plaintiff, a motorcyclist, was involved in a traffic collision with a third party vehicle. It is alleged that dangerous road condition and road design led to the incident.	CF14-1336	10/1/14	\$ 1,000,000		1,000,000	1,000,000	-
Sherman, John BC528297	Plaintiff alleged he tripped and fell on broken asphalt around a utility cover.	CF15-0569	5/27/15	\$ 350,000		350,000	350,000	-
Shoemaker, Jeffrey BC516728	Plaintiff alleged that LAPD failed to provide him with reasonable accommodation for his disability and further alleged discrimination, harassment, and retaliation.	CF15-0647	5/27/15	\$ 1,500,000		1,500,000	1,500,000	-
Teter, Robert BC483288	Plaintiffs alleged whistleblower retaliation.	CF14-1265	9/17/14	\$ 500,000		500,000	500,000	-
Torres, Pedro BC248114	Plaintiff alleged retaliation for testifying in another discrimination case.	CF14-1466	11/21/14	\$ 3,583,820		3,583,820	3,583,820	-
Waymire, Paul BC501710	Plaintiff alleged retaliation for filing a successful prior lawsuit against the City. Specifically, he claimed the person alleged of wrongdoing in the first lawsuit and who is now in his chain of command failed to promote him.	CF15-0261	3/2/15	\$ 975,000		975,000	975,000	-
Woodford, Irene EC060235	Plaintiff sued for wrongful death of son who was allegedly run over by a Council staff member.	CF14-1208	2/4/15	\$ 250,000		250,000	250,000	-
Zakarya BC419559	Plaintiff alleged regulatory taking arising out of denial of variance.	CF14-0830	7/2/14	\$ 377,146		377,146	377,146	-
T O T A L						57,247,321	57,247,321	-

NOTES:

- 1) Chance, Clarence - \$7,410 monthly payment due until February 2023
- 2) Hill RHF Housing - total settlement approximately \$500K, payable in five annual installments starting in FY13
- 3) Mesa RHF Housing - total settlement approximately \$100K, payable in five annual installments starting in FY14
- 4) Ramon, Maria Demetrio - total settlement \$3.5M; \$2M due FY14, \$1.5 due FY15