

## ITEM NO. 48

12/9/15 Council – Regular Agenda  
Closed Session

### MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement of appellate attorneys' fees and payment of judgment in relation to compensatory damages in the case entitled P.C., et al. v. City of Los Angeles, et al., Ninth Circuit Court Case No. 12-56847 and United States District Court Case Nos. 07-003413, 07-06495, and 09-00842 (this matter involves an appeal of a final judgment in a civil rights and wrongful death action); and FURTHER MOVE that the Council ADOPT the following recommendation of the Budget & Finance Committee in order to effect payment of judgment in relation to punitive damages assessed in the case referenced hereinabove, **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney, in settlement of the above-entitled matter, to pay \$250,000.00 in attorney fees for the work spent on the appeal, and to pay the final judgment, plus accrued interest, from \$5 million in funds (deposited by the City with the Court as security for satisfaction of the judgment) as follows:
  - a. Payable to Jeanette Solis, Administrator of the Estate of Mauricio Cornejo, in the amount of \$870,000.00, plus accrued interest; or if the officers are indemnified for punitive damages, in the amount of \$915,000.00, plus accrued interest.
  - b. Payable to P.C. by and through his guardian ad litem, Jeanette Solis, in the amount of \$1,500,000.00, plus accrued interest.
  - c. Payable to SGP, by and through her guardian ad litem, Martha Perea, in the amount of \$400,000.00, plus accrued interest.
  - d. Payable to EE, by and through her guardian ad litem, Esther Escorcia, in the amount of \$400,000.00, plus accrued interest.
  - e. Payable to the Law Offices of Dale Galipo and the Law Offices of Humberto Guizar in the amount of \$710,995.60, plus accrued interest.
  - f. Payable to the Law Offices of Dale Galipo and the Law Offices of Humberto Guizar in the amount of \$250,000.00.
2. DETERMINE pursuant to Government Code, Section 825, subdivision (b), that the City will indemnify the Los Angeles Police officers for punitive damages based on the following: (a) that Officers Meneses, Silva, and Arrellano were acting within the course and scope of their employment as employees of the City of Los Angeles at the time of the act giving rise to the liability; (b) that Officers Meneses, Silva, and Arrellano acted in good faith, without actual malice and in the apparent best interests of the City of Los Angeles at the time of the act giving rise to the liability; and, (c) that payment of the claim or judgment would be in the best interests of the City of Los Angeles.
3. AUTHORIZE the City Attorney to make necessary changes to the above payment instructions, provided such changes do not deviate from the terms of the judgment.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Koretz – Blumenfield – Bonin, "Yes") at its meeting on December 7, 2015, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY \_\_\_\_\_  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
MITCHELL ENGLANDER  
Councilmember, 12th District

REW  
CF 15-1337  
December 7, 2015

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