

**MOTION**

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Elaine Gabat, Emilita Gabat, and Erwin Gabat v. City of Los Angeles, Los Angeles Superior Court Case No. BC584215 (this matter involves an alleged bicycle accident which occurred on August 21, 2014 on Colorado Boulevard in Los Angeles, California), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to pay a total of **\$4,500,000** in settlement of the above-entitled matter, **payable in Fiscal Years (FY) 2016-17 and 2017-18.**
2. AUTHORIZE the Controller to transfer \$1,500,000 from Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts.
3. AUTHORIZE the City Attorney draw demands from Fund No. 100/59, Account No. 009797, Transportation Liability Payouts as follows:
  - a. \$1,500,000 payable to Homampour Law Firm Client Trust, Elaine Gabat, Emilita Gabat, and Erwin Gabat, **due on or before May 31, 2017** (FY 2016-17).
  - b. \$3,000,000 payable to Homampour Law Firm Client Trust, Elaine Gabat, Emilita Gabat, and Erwin Gabat, **due on or before July 31, 2017** (FY 2017-18).
4. AUTHORIZE the City Attorney, or designee, to make necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

**(Budget and Finance Committee waived consideration of the above matter)**

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

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

REW  
CF 17-0452  
May 3, 2017