



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R26-0331

JUN 04 2026

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(d)(1)**

REPORT RE:

SETTLEMENT DISCUSSION

EMILY JUAREZ GONZALEZ v. CITY OF LOS ANGELES, et. al.,
LASC CASE NO. 23SMCV05121

The Honorable City Council
City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

(Re: Claim No. C23-110653)

Honorable Members:

This office recommends that discussions with, and advice from, legal counsel regarding the recommendation for Claims Board action in this pending litigation be scheduled and held in closed session pursuant to California Government Code Section 54956.9(d)(1). Government Code Section 54956.9(d)(1) requires you to state publicly prior to the closed session, what subdivision of this section authorizes the closed meeting, and that the closed session is being held to confer or discuss with, or receive advice from, legal counsel regarding pending litigation.


The Honorable City Council
City of Los Angeles
Page 2

This matter arises from a November 9, 2022, trip and fall in a crosswalk on Robertson Boulevard, at its intersection with Kincardine Avenue, in Los Angeles, California.

If you have any questions regarding this matter, please contact Sarah Asghari, Deputy City Attorney at (352) 871-3006. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

HYDEE FELDSTEIN SOTO, City Attorney

By: 
DIKRAN H. SASSOUNIAN
Assistant Chief, Civil Litigation Branch

DHS:kc

cc: Board of Public Works Commission
Keith Mozee, Director
Nick Lopez, Assistant Director
Art Martinez, Risk Manager
Abram Tejada, Risk Manager



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R26-0331

JUN 04 2026

PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(d)(1)**

CONFIDENTIAL REPORT RE:

RECOMMENDATION FOR SETTLEMENT

EMILY JUAREZ GONZALEZ v. CITY OF LOS ANGELES, et. al.,
LASC CASE NO. 23SMCV05121

The Honorable City Council
City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

(Re: Claim No. C23-110653)

Honorable Members:

It is respectfully requested that the City Attorney's Office be authorized to expend \$200,000 in Fiscal Year 2026-27 to settle the above-entitled matter from the Liability Claims Fund No. 100/59. Plaintiff's latest demand was \$500,000.

It is requested that the City Council, subject to the approval of the Mayor:

1) Authorize the Controller's Office to transfer \$200,000 **in Fiscal Year 2026-27** from the Liability Claims Fund No. 100/59, Account No. 009798 - Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009795 – Public Works, Street Services Liability Payouts;

2) Authorize the City Attorney to draw a demand **in Fiscal Year 2026-27** from Fund No. 100/59, Account No. 009795 – Public Works, Street Services Liability Payouts, as follows: Downtown LA Law Group, LLP Client Trust Account in the amount of \$200,000: The breakdown is as follows;

a) \$200,000 to Downtown LA Law Group, LLP and Emily Juarez Gonzalez;

3) 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.

SUMMARY OF FACTS:

On November 9, 2022, 17-year-old Emily Gonzalez was leaving school and walking toward her father's car when she tripped and fell in a crosswalk on Robertson Boulevard at its intersection with Kincardine Avenue, in Los Angeles, California. She sustained a right ankle fracture requiring surgery, as well as injuries to her right shoulder, wrist, and hand.

LIABILITY:

Liability is likely adverse to the City. The crosswalk where Plaintiff fell is full of deep cracks and holes, as shown in the below photograph.



The City had actual notice of the crosswalk's condition. City records reflect that a small asphalt repair (SAR) was performed at this location in July 2020. The condition of the crosswalk in January 2020 Google street view photos is almost identical to Google images taken in late 2022, just prior to Plaintiff's accident. Bureau of Street Services records also show that the City responded to three service requests related to potholes in the area immediately adjacent to this crosswalk in the three years prior to Plaintiff's fall.

Plaintiff may bear some comparative fault for her fall. She attended school nearby and had walked past this location a few times before the subject incident. However, comparative fault is typically only a partial defense, if successful.

DAMAGES:

Plaintiff sustained a right ankle fracture as a result of her fall, as well as injuries to her right shoulder, wrist, and hand. She underwent a modified Brostrom-Gould stabilization procedure as well as surgical repair of a peroneus brevis tear in her right ankle.

Plaintiff testified that she is right-hand dominant and continues to experience pain, stiffness, and discomfort in her right wrist and ankle, which limits her mobility and ability to complete daily tasks. Plaintiff's past medical expenses total \$110,068.88.

PROCEDURAL HISTORY:

Plaintiff's Complaint was filed on October 20, 2023, in Los Angeles Superior Court against the City of Los Angeles. No cross-complaints were filed.

SETTLEMENT NEGOTIATIONS:

On July 7, 2025, the parties mediated this case with mediator Wendy Kramer. The parties ultimately agreed to settle this case for \$200,000. The settlement is conditioned upon approval by this Honorable Body.

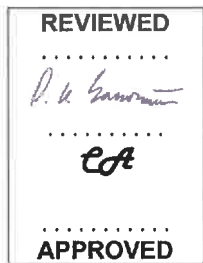
RECOMMENDATION:


In light of the facts in this case, and the potential exposure, we believe this proposed settlement to be in the best interest of the city and a better result than likely could be achieved after trial. It is requested this Honorable Body approve the above recommendation.

If this Honorable Body approves the above settlement, it is respectfully requested that this Office be authorized to draw a demand made payable as set forth on the first page of this report. This Office will prepare and obtain the necessary release and dismissal of the above-entitled action before forwarding the draft to Plaintiff.

Very truly yours, .

HYDEE FELDSTEIN SOTO, City Attorney
KATHLEEN KENEALY, Chief Assistant City Attorney



By: 
SARAH ASGHARI,
Deputy City Attorney

SA:kc

- cc: Board of Public Works Commission
- Keith Mozee, Director
- Nick Lopez, Assistant Director
- Art Martinez, Risk Manager
- Abram Tejada, Risk Manager

City Council policy requires appropriate departmental personnel to attend Claims Board, Committee and City Council meetings each time a settlement or judgment on litigation is discussed to report remedial actions taken as the result of the litigation.

| | |
|--------------------|--|
| Department: | Public Works / Bureau of Street Services |
| Case Name/Number: | Gonzalez, Emily Juarez v. City of Los Angeles, et al.[23SMCV05121] |
| Handling Attorney: | Sarah Asghari |
| RMAT Category: | E |



Corrective Action Report

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

This form has been developed by the City Attorney’s Office to assist City departments in writing a Corrective Action Report (“CAR”) for issues resulting in litigation. The CAR should describe the current understanding of the most likely root cause(s). This CAR will accompany documents submitted by the City Attorney’s Office to the City Council and Claims Board. If there are any questions related to the confidentiality of this form, please consult the City Attorney’s Office.

| | |
|---|--|
| Date of incident/event: | 01/09/2022 |
| Briefly provide a description of the incident/event/condition: | On November 9, 2022, Plaintiff Emily Juarez Gonzalez (age 17) tripped on a pothole within the crosswalk at the intersection of Robertson Boulevard and Kincardine Avenue in Los Angeles, California, causing her to fall and sustain injuries. |

1. **Briefly describe the most likely root cause(s) leading to the of the incident or occurrence:**
 Note: the root cause may be related to non-City activity or be unrelated to department operations.

Pothole is located within the crosswalk at a high-traffic intersection and was likely caused by heavy vehicular traffic.

2. **Briefly provide legal advice regarding possible corrective actions and/or risk management strategies:**

| Legal Advice Regarding Corrective Action (or other notes) | Risk Management Strategy (multiple boxes may be selected) |
|---|---|
| Repair street. | A <input type="checkbox"/> Requires significant risk mitigation or significant infrastructure repair B <input type="checkbox"/> Involves reoccurring event, condition or location C <input type="checkbox"/> Requires change to the relevant department’s policies, procedures, or practices D <input type="checkbox"/> Requires coordination between multiple city departments, bureaus, or offices E <input checked="" type="checkbox"/> Requires routine risk mitigation |

3. TO BE COMPLETED BY DEPARTMENT IN CONSULTATION WITH GENERAL COUNSEL:

Describe any corrective action(s) to be taken, scheduled date and responsible party:

| Corrective Action(s) to be taken | Operational Issue | Scheduled Start Date | Scheduled Completion Date | Responsible Person(s) |
|----------------------------------|--|----------------------|---------------------------|-----------------------|
| | <input type="checkbox"/> Process/Procedure <input type="checkbox"/> Equipment/Infrastructure <input type="checkbox"/> Workforce/Training <input type="checkbox"/> Other | | | |
| | <input type="checkbox"/> Process/Procedure <input type="checkbox"/> Equipment/Infrastructure <input type="checkbox"/> Workforce/Training <input type="checkbox"/> Other | | | |

4. Review and Authorization

The City department has reviewed the incident, event or condition, has determined that the root cause can be corrected, and will take appropriate corrective actions.

| Review and authorization steps: | Signature: | Date: |
|--|------------|-------|
| Reviewed by department Risk Manager | <hr/> | |
| Reviewed by department General Counsel | <hr/> | |

5. Verification of Completion

The City department has completed all corrective action(s).

| Verification of Completion: | Signature: | Date: |
|--|------------|-------|
| Verification of completion by department Risk Manager, Assistant General Manager, or General Manager | <hr/> | |