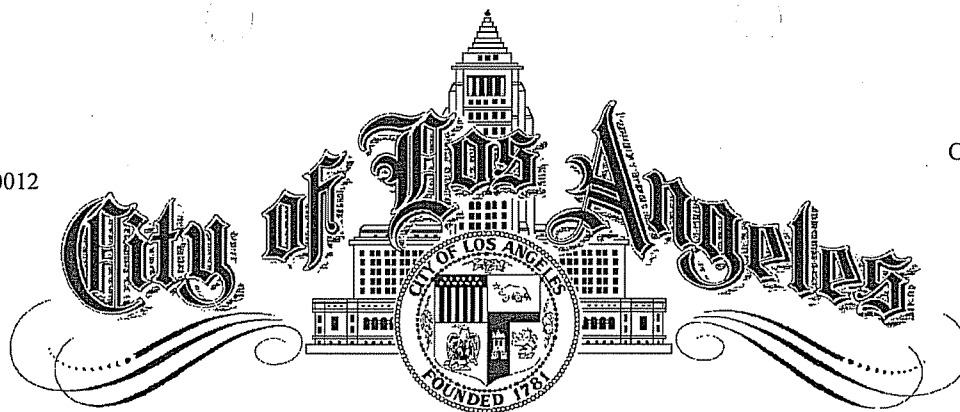


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**CARMEN A. TRUTANICH**  
City Attorney

REPORT NO. R 0 9 - 0 4 1 3  
DEC 0 8 2009

REPORT RE:

**STATUS OF LIABILITY ACCOUNTS**

Honorable Budget & Finance Committee  
City of Los Angeles  
Room 1010, City Hall  
Los Angeles, California 90012

Honorable Members:

The City Attorney's Office has been asked to periodically report to your Committee on the status of liability payouts from the General Fund liability accounts 9760 and 9770. In addition, we have been asked to identify pending cases that have a substantial likelihood of being resolved during fiscal year 2009-2010 which could require payments over \$100,000 from the General Fund.

For fiscal year 2009-2010, the Adopted Budget appropriated \$10 million for Account 9760 and \$31 million for Account 9770. In addition, Council authorized a transfer of \$1.9 million from the Solid Waste Resources Revenue Fund for a settlement involving a Sanitation trash truck.

The chart below details the status of these accounts as of October 31, 2009.

ACCOUNT	AVAILABLE	EXPENDED	BALANCE	% OF AVAILABLE
9760	\$10,000,000	\$3,852,675	\$6,147,325	61%
9770	\$32,900,000	\$22,328,428	\$10,571,572	32%
<b>TOTALS</b>	<b>\$42,900,000</b>	<b>\$26,181,103</b>	<b>\$16,718,897</b>	

\*Attachment A details all cases over \$100,000 that have been expended and those which have been approved by Council but have not been paid as of this reporting period.

Honorable Budget & Finance Committee  
City of Los Angeles  
Page 2 of 3

As always, we greatly appreciate your support, as well as that of our General Managers, department staff and other City officials.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carmen A. Trutanich', with a stylized flourish at the end.

CARMEN A. TRUTANICH  
City Attorney

Attachment

cc: Honorable Antonio Villaraigosa, Mayor  
Honorable Members of the City Council  
General Managers

**DETAIL OF EXPENDITURES & COMMITMENTS**  
**FISCAL YEAR 2009/10**  
**As of October 31, 2009**

Description	Case Description	Council File #	Date Approved by City Council	Settlement(S)/ Judgment(J)	Total Payouts Approved by Council for Payout FY09/10 as of 10/31/09 Col. A	Total Paid FY09/10 as of 10/31/09 Col. B	Total Payouts Approved for Payment FY09/10 but Unpaid as of 10/31/09 Col. C = Col. A minus Col. B
<b>ACCOUNT 9760</b>							
Various					3,852,675	3,852,675	-
<b>TOTAL</b>					<b>3,852,675</b>	<b>3,852,675</b>	<b>-</b>

<b>ACCOUNT 9770</b>							
Aguilar, Dalila BC376374	Plaintiff alleges physically injury was caused by an sidewalk at Highland and Willoughby.	CF09-1966	10/07/09	S	175,000	175,000	-
Bender, Donald BC371139 (see Note 1 below)	Plaintiff alleges retaliation as a result of engaging in protected activity on behalf of Patricia Fuller in Bomb K-9 squad at LAX.	CF08-1150	04/22/09	J	1,500,000	1,500,000	-
Bressler BC336783 (see Note 10)	Three Los Angeles Fire Department (LAFD) members claim 12 causes of action versus the City & individual defendants.	CF09-1905	08/12/09	J	3,335,737	3,335,737	-
Chance, Clarence	Plaintiff alleges wrongful arrest by the Los Angeles Police Department (LAPD).	CF93-0166	07/06/93	S	88,920	29,640	59,280
Cortez, James BC349338 (see Note 2 below)	Plaintiff alleges excessive use of force by LAPD.	CF07-1463	08/06/08	S	54,097	54,097	-
Cummins-Cobb, Mary BC374596	Plaintiff alleges retaliation and wrongful termination	CF09-0704	04/13/09	S	130,000	130,000	-
Fitzgerald, Donald CV03-01876	Plaintiffs, a class of Skid Row residents, seek compensation for violation of their civil rights as a result of LAPD sweeps conducted to catch probation and parole violators in the area.	CF08-3259	07/08/09	S	324,269	324,269	-
Fuller, Patricia BC346464 (see Note 3 below)	Plaintiff alleges sexual harassment, gender discrimination and retaliation.	CF08-1150	11/19/08	S	1,000,000	1,000,000	-
Gousse, Angelo BC252804 (see Note 4 below)	Plaintiff alleges he was violently handled, beaten, kicked, tightly handcuffed, called racial epithets, and falsely arrested, and that his constitutional rights were violated by such conduct.	CF09-1455	07/19/09	S	2,010,000	2,010,000	-
Griffin, Sandra BC367263 (see Note 5 below)	Plaintiffs allege personal injuries and property damage as a result of a traffic collision with a City police vehicle on Success Avenue near Imperial Highway.	CF08-3169	01/07/09	J	2,000,000	2,000,000	-

## ATTACHMENT A

Description	Case Description	Council File #	Date Approved by City Council	Settlement(S)/ Judgment(J)	Total Payouts Approved by Council for Payout FY09/10 as of 10/31/09	Total Paid FY09/10 as of 10/31/09	Total Payouts Approved for Payment FY09/10 but Unpaid as of 10/31/09
Hubbard BS114091/Env. & Housing Coalition BS114338	Litigation challenging City's "density bonus" implementing ordinance	CF08-2138	10/30/09	S	139,631	-	139,631
Hunt, Michael/Matthew Dowd CV06-04691	Plaintiff seeks Declaratory & Injunctive relief for Venice Boardwalk vending.	CF07-2041	08/12/09	J	270,000	270,000	-
Hunt, Michael/Matthew Dows CV06-04691	Plaintiff seeks Declaratory & Injunctive relief for Venice Boardwalk vending.	CF07-2041	09/23/09	J	211,000	211,000	-
Kopatsis BC385798	Inverse condemnation matter	CF09-1483	09/02/09	S	1,728,000	1,728,000	-
Lattanzi, Michael BC369797 (see Note 6 below)	Plaintiff alleges personal injury and property damage due to falling off a curb while riding a bicycle at 6310 Heather Drive at Durand Drive.	CF09-0155	03/25/09	S	1,000,000	1,000,000	-
League of Residential Neighborhood Advocates CV034880	Alleged violation of state and federal laws by allowing a house of worship through settlement as opposed to the CUP process prescribed by our own ordinance.	CF08-2451	07/22/09	S	340,000	340,000	-
Lima, Frank BC353261 (see Note 10)	Plaintiff alleges discrimination and retaliation on account of gender and sex	CF07-2075	08/12/09	J	4,846,774	4,846,774	-
Medina, David CV06-04926 (see Note 7 below)	Plaintiffs allege excessive use of force by LAPD, resulting in death of decedent	CF09-0056	02/04/09	S	350,000	350,000	-
Sandoval, Sky PC040053	Plaintiffs allege the wrongful death of their decedent, a bicyclist, as a result of being struck by a City Sanitation truck at the intersection of Herrick Avenue and Fillmore Street.	CF09-0919	06/24/09	S	1,900,000	309,853	1,590,147
Ward-Wallace, Joseph (see Note 8 below)	Plaintiff alleges racial discrimination at Fire Department	CF09-1132	06/09/09	S	75,000	75,000	-
Zemuy, Haben C06-4585 (see Note 9 below)	Traffic collision with LAPD.	CF08-2449	10/08/08	S	850,000	850,000	-
<b>TOTAL</b>					<b>22,328,428</b>	<b>20,539,370</b>	<b>1,789,058</b>

**NOTES:**

- 1) Bender - total settlement \$2.5M; \$1.5 paid in FY10; \$1M payable FY11
- 2) Cortez - settlement authorized and paid in FY09; one of the settlement checks had to be cancelled and re-issued in FY10
- 3) Fuller - total settlement \$2.25M: \$1.25M paid FY09; \$1M paid FY10
- 4) Gousse - total settlement \$3,010,000; \$2,010,000 paid FY10; \$1M payable FY11
- 5) Griffin - total settlement \$4.5M: \$1.5 paid FY09; \$2M paid FY10; \$1M payable FY11
- 6) Lattanzi - total settlement \$5M; \$1M paid FY10; \$2M payable FY11; \$2M payable FY12
- 7) Medina - total settlement \$450K; \$100K paid FY09; \$350K paid FY10
- 8) Ward-Wallace - total settlement \$175K; \$100K paid FY09; \$75K paid FY10
- 9) Zemuy - total settlement \$1.85M: \$1M paid FY09; \$850K paid FY10
- 10) Authorized by Council for future Judgment Obligation Bond reimbursement.