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**MICHAEL N. FEUER**  
City Attorney

**REPORT NO.** R 1 5 - 0 0 1 6

**REPORT RE:**

**JAN 2 7 2015**

**STATUS OF LIABILITY ACCOUNTS**

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 as of the quarter ended December 31, 2014.

Account 9760 (\$100,000 and below)

For Fiscal Year 2014-2015, the Adopted Budget provides \$10,060,000 for Account 9760. As of this reporting period, we have spent over 40% of the budgeted amount.

Account 9770 (Over \$100,000)

The Fiscal Year 2014-2015 Budget provides \$37.85 million in Account 9770, plus an additional \$6 million set aside in the Unappropriated Balance. As of this reporting period, we have expended/committed almost 70% of the total \$43.85 million.

The following chart recaps the status of the liability accounts as of December 31, 2014. A listing of the individual cases paid out of Account 9770 is provided on Attachment A of this report.

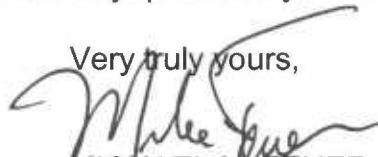
<b>ACCOUNT</b>	<b>AVAILABLE</b>	<b>EXPENDED/ COMMITTED**</b>	<b>BALANCE</b>	<b>% OF AVAILABLE</b>
<b>9760</b>	<b>\$10,060,000</b>	<b>\$4,151,079</b>	<b>\$5,908,921</b>	<b>59%</b>
<b>9770</b>	<b>\$43,850,000</b>	<b>\$29,724,825</b>	<b>\$14,125,175</b>	<b>32%</b>
<b>TOTALS</b>	<b>\$53,910,000</b>	<b>\$33,875,905</b>	<b>\$20,034,095</b>	

*\*Total amounts paid and/or authorized by City Council for payment this fiscal year as of 12/31/2014. See Attachment A.*

As in the past, we will continue to provide the City Council and the City Administrative Officer (CAO) with periodic updates on these accounts, both through these quarterly reports and the CAO's financial status reports.

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 DECEMBER 31, 2014**  
**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 12/31/14 Col. D	Balance Due FY15 Col. C minus D Col. E
Avila, Leonard CV11-1326	Plaintiff alleged retaliation in the workplace.	CF14-1273	9/18/14	\$ 787,560		787,560	787,560	-
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	44,460	44,460
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
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	-
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	-
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	-
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	106,061	26,898	79,163
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	-
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	20,000	-	20,000
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	-

**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 12/31/14 Col. D	Balance Due FY15 Col. C minus D Col. E
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	-
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	-
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	-
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	-
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	-
Ya-May, Christle C14-2207 (see Note 5)	LAPD employee alleged retaliation in the workplace after reporting inappropriate activity in her Division.	CF14-0453	6/9/14	\$ 395,000		395,000	395,000	-
Zakarya BC419559	Plaintiff alleged regulatory taking arising out of denial of variance.	CF14-0830	7/2/14	\$ 380,000		380,000	380,000	-
<b>T O T A L</b>						<b>29,724,825</b>	<b>24,764,267</b>	<b>4,960,559</b>

**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
- 5) Ya-May, Christle - authorized in FY14, but check had to be cancelled and re-issued in FY15 using current year appropriation