

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled David Burwell, et al. v. City of Los Angeles, United States District Court Case No. CV15-03466 AB (JPR) (this matter arises from an incident involving wage and hour claims for unpaid overtime by members of the Los Angeles Fire Department), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to pay a total of \$496,446.85 in settlement of the above-entitled matter, **payable after July 1, 2016** (in Fiscal Year 2016-17), as follows:
 - a. Unpaid overtime in the amount of \$222,070.03 to be paid to Plaintiffs as overtime wages from Fund No. 100/38, Account No. 001012 and made payable as follows:
 - i. \$11,836.06 to Steve Avedissian
 - ii. \$19,888.39 to David Burwell
 - iii. \$47,063.94 to Charles Elzie
 - iv. \$41,255.40 to Stephen Leaf
 - v. \$16,495.19 to Russell Nakamura
 - vi. \$24,157.90 to Roy Rodriguez
 - vii. \$48,346.27 to Anthony Vidovich
 - viii. \$13,026.88 to Marcus Williams
 - b. Liquidated damages in the amount of \$222,070.03 to be drawn from Fund No. 100/59, Account No. 009790, Fire Liability Payouts, and made payable to the Woodley and McGillivray Client Trust Account.
 - c. Attorney's fees and costs in the amount of \$52,306.79 to be drawn from Fund No. 100/59, Account No. 009790, Fire Liability Payouts, and made payable to Woodley & McGillivray, LLP.
2. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Blumenfield: "Yes") at its meeting on August 15, 2016, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
BOB BLUMENFIELD
Councilmember, 3rd District

REW
CF 16-0862
August 15, 2016

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