

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled James Carson, et al. v. City of Los Angeles, United States District Court Case No. CV15-07057 JFW (KLSX) (this matter arises from an incident involving members of the Los Angeles Fire Department regarding Federal Labor Standards Act overtime claims), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to pay a total of **\$751,950.87**, plus post-judgment interest, in settlement of the above-entitled matter as follows:

a. Unpaid overtime in the amount of \$439,823.90 to be paid to Plaintiffs as overtime wages and pre-judgment interest from Fund No. 100/38, Account No. 001012 and made payable as follows:

Plaintiff	Backpay	Interest	Total Award
James Carson	\$33,138.17	\$2,248.56	\$35,386.73
Anthony Castillo	\$55,960.48	\$3,466.40	\$59,426.88
Heywood Chang	\$22,186.06	\$1,746.99	\$23,933.05
Keith Douglass	\$30,674.13	\$1,679.33	\$32,353.46
Paul Gamez	\$42,561.63	\$2,780.68	\$45,342.31
L. Scott Gribbons	\$5,527.53	\$224.05	\$5,751.58
Thomas Johnson	\$42,274.94	\$2,621.40	\$44,896.34
Gerard Joya	\$48,718.00	\$3,272.74	\$51,990.74
Erick Lauridsen	\$38,303.16	\$2,309.92	\$40,613.08
Chris Lewis	\$9,050.71	\$427.84	\$9,478.55
Tobi Perkins	\$31,871.66	\$1,941.41	\$33,813.07
Todd Porter	\$3,270.81	\$286.27	\$3,557.08
Colin Smith	\$12,117.80	\$546.38	\$12,664.18
Brent Spankroy	\$20,889.32	\$1,508.15	\$22,397.47
Michael Tobey	\$16,303.69	\$881.18	\$17,184.87
Mary Zahyna	\$978.24	\$56.27	\$1,034.51
Totals:	\$413,826.33	\$25,997.57	\$439,823.90

b. Court judgment for attorney’s fees and costs in the amount of \$312,126.97, plus applicable interest, 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 – Englander – Martinez – Blumenfield – Bonin: “Yes”) at its meeting on January 9, 2017, 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