

# ITEM NO. 31

10/22/19 Council – Regular Meeting Agenda  
Closed Session

## MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations in order to effect settlement in the case entitled Jose Luis Lopez, Jr. v. City of Los Angeles and Wally's Wine and Spirits, Los Angeles Superior Court Case No. BC562041 and Court of Appeal Case No. B288396 (this matter involves the City's appeal of a judgment entered after a jury verdict in favor of plaintiff regarding a trip-and-fall at the bottom of a driveway on February 28, 2014), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. AUTHORIZE the City Attorney to expend up to **\$3,200,000** in settlement of the above-entitled matter.
2. AUTHORIZE the Controller to transfer \$3,200,000 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.
3. AUTHORIZE the City Attorney to draw two demands from Fund No. 100/59, Account No. 009795, Public Works, Street Services Liability Payouts as follows:
  - a. \$1,600,000 made payable to Ardalan and Associates, PLC, Client Trust Account and Jose Luis Lopez.
  - b. \$1,600,000 made payable to MetLife Assignment Company, Inc.
4. 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.

**(Budget and Finance Committee waived consideration of the above matter)**

PRESENTED BY \_\_\_\_\_  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
CURREN D. PRICE, JR  
Councilmember, 9th District