



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO.           R22-0210            
June 13, 2022

**SUPPLEMENTAL REPORT RE:**

TYLER SHEAR, ET AL. V. CITY OF LOS ANGELES, ET AL.  
LOS ANGELES SUPERIOR COURT CASE NO. BC702166  
COUNCIL FILE NO. 20-0555

JANE MBQ DOE V. CITY OF LOS ANGELES  
LOS ANGELES SUPERIOR COURT CASE NO. BC704465  
COUNCIL FILE NO. 21-0091

ANDREW WILSON V. CITY OF LOS ANGELES, ET AL.  
USDC CASE NO. CV18-05775-KS  
COUNCIL FILE NO. 21-1092

L.A. ALLIANCE FOR HUMAN RIGHTS, et al. v. CITY OF LOS ANGELES, et al.  
USDC CENTRAL DISTRICT CASE NO. 2:20-CV-02291-DOC-KES  
COUNCIL FILE NO. 20-0263

**REQUEST TO ADJUST TRANSFER OF FUNDS AND PAYMENT INSTRUCTIONS**

The Honorable City Council  
City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Honorable Members:

The Office of the City Attorney requests authority to adjust the timing of the transfer of funds and liability payments for four cases previously approved by City Council: 1) Tyler Shear, et al v. City of L.A., et al.; 2) Jane MBQ Doe v. City of L.A.; 3) Andrew Wilson v. City of L.A., et al.; 4) L.A. Alliance for Human Rights, et al v. City of L.A. Council previously approved three transfer of funds for Fiscal Year 2022-23 and one payment (L.A. Alliance)

without specific timing; this office now recommends those transfers be made in Fiscal Year 2021-22, as sufficient funding is available to advance the payments. There is no additional financial impact.

**RECOMMENDATIONS:**

It is requested that the City Council, subject to the approval of the Mayor:

- 1) Relative to Council File No. 20-0555, adopted on June 9, 2020 concerning Tyler Shear, et al. v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BC702166:

- a. **Rescind** the following Council instruction:

5. INSTRUCT the City Clerk to place on the agenda for the first regular Council meeting on **July 1, 2022**, or shortly thereafter, the following instructions:

AUTHORIZE the Controller to transfer \$4,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts.

- b. **Replace** with the following Council instruction:

5. AUTHORIZE the Controller to transfer \$4,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009797, Transportation Liability Payouts, **in Fiscal Year 2021-22.**

- c. **Amend** the following instruction as indicated:

3. AUTHORIZE the City Attorney to draw demands from Fund No. 100/59, Account No. 009797, Transportation Liability Payouts, as follows:

- c. \$4,000,000 due **on or before July 2022**, made payable as follows:

- i. **\$2,806,666.66** to Paoli & Purdy, PC Client Trust Account, Tyler Shear, Alexandria Shear, and Tanner Shear;
- ii. **\$893,333.34** to BHG Structured Settlements, Inc., for the benefit of Tanner Shear;
- iii. **\$300,000** to Structured Assignments, SCC, for the benefit of Courtney Purdy and William Paoli.

- 2) Relative to Council File No. 21-0091 adopted on July 9, 2021 concerning Jane MBQ Doe v. City of Los Angeles, Los Angeles Superior Court Case No. BC704465:

a) **Rescind** the following Council instructions:

5. Instruct the City Clerk to place on the agenda for the first regular Council meeting on **July 1, 2022**, or shortly thereafter, the following instruction:

Authorize the Controller's Office to transfer \$497,500 from the Liability Claims Fund No. 100/59, Account No. 009798 – Miscellaneous Liability Payouts to Fund No. 100/59, Account No. 009792 – Police Liability Payouts.

b) **Replace** with the following Council instructions:

5. AUTHORIZE the Controller's Office to transfer \$497,500 from the Liability Claims Fund No. 100/59, Account No. 009798 – Miscellaneous Liability Payouts to Fund No. 100/59, Account No. 009792 – Police Liability Payouts, **in Fiscal Year 2021-22.**

- 3) Relative to Council File No. 21-1092 adopted on January 19, 2022 concerning Andrew Wilson v. City of Los Angeles, et al., USDC Case No. CV18-05775-KS.

a) **Rescind** the following **amended** Council instruction:

- 2b. INSTRUCT the City Clerk to place on the agenda for the first regular Council meeting on **July 1, 2022**, or shortly thereafter, the following instruction:

AUTHORIZE the Controller's Office to transfer \$5,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts.

b) **Replace** with the following Council instructions:

- 2b. AUTHORIZE the Controller's Office to transfer \$5,000,000 from the Liability Claims Fund No. 100/59, Account No. 009798, Miscellaneous Liability Payouts, to Fund No. 100/59, Account No. 009792, Police Liability Payouts, **in Fiscal Year 2021-22.**

- 4) Relative to Council File No. 20-0263, adopted on May 11, 2022 concerning L.A. Alliance for Human Rights, et al. v. City of L.A., USDC Central District Case No. 2:20-CV-02291. On May 11, 2022, this honorable body authorized the payment of \$1,800,000 in attorney's fees to settle the case. On June 9, 2022, consistent with the settlement, the United States District Court formally approved the settlement agreement and dismissal, requiring that the City pay attorney's fees in the amount of \$1,800,000 to the Plaintiffs' Counsel.

This office now seeks City Council approval of the specific payment instructions, as indicated:

- a. AUTHORIZE the City Attorney to draw a demand from the Liability Claims Fund No. 100/59, Account No. 009798 - Miscellaneous Liability Payouts, as follows: Spertus, Landes & Umhofer, LLP Client Trust Account in the amount of \$1,800,000.
- 5) It is also requested that the City Attorney, or designee, be authorized to make necessary technical adjustments, subject to the approval of the City Administrative Officer, and that the Controller be authorized to implement the instructions.

There is no financial General Fund impact resulting from this timing adjustment, as sufficient funding is available in the 2021-22 budget to process these transfers.

If you have any questions, please contact me at (213) 978-1000.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By:



SCOTT MARCUS  
Chief Assistant City Attorney