



Legislation Text

File #: 08-0817, **Version:** 1

Recommendation to authorize City Attorney to pay the sum of \$18,500 in full settlement of lawsuit entitled Duckett v. City of Long Beach, et al., Case No. NC039301; \$7,500 in full settlement of lawsuit entitled Lizette Flores, Rocio Flores, Bryan Flores, a minor by and through his Guardian ad Litem, Lizette Flores v. Kalid Abuhadawan; City of Long Beach; \$16,500 in full settlement of lawsuit entitled Moya v. City of Long Beach; \$9,000 in full settlement of lawsuit entitled Norma Rodriguez and Alvaro Rodriguez v. City of Long Beach, Case No. 07C00838; and \$87,500 in full settlement of lawsuit entitled Kiran Taneja v. City of Long Beach.

Duckett v. City of Long Beach, et al., Case No. NC039301

This suit arises out of a claim that officers of the Long Beach Police Department used excessive force which resulted in injuries to the plaintiff during the course of an arrest. A settlement conference was held before Superior Court Judge Patrick Madden. The parties were able to reach a tentative settlement agreement of \$18,500.00, subject to City Council approval.

The Economic Development and Finance Committee approved the proposed settlement on August 5, 2008.

Lizette Flores, Rocio Flores, Bryan Flores, a minor by and through his Guardian ad Litem, Lizette Flores v. Kalid Abuhadawan; City of Long Beach

On or about November 4, 2006, at the intersection of 52nd Street and Cedar Avenue, a City vehicle drove into the intersection in front of plaintiffs and collided with Flores' vehicle. After extensive discussion, a tentative settlement of \$7,500.00 was reached.

The Economic Development and Finance Committee approved the proposed settlement on August 5, 2008.

Norma Rodriguez and Alvaro Rodriguez v. City of Long Beach, Case No. 07C00838

Plaintiffs were involved in an auto vs. auto accident with a Long Beach police officer on July 30, 2005. Plaintiffs' combined special damages total \$8,554.00. Following settlement discussions with a court appointed mediator, plaintiffs agreed to accept \$9,000.00 as a full, global settlement of this case. The settlement was approved by the Economic Development and Finance Committee on August 5, 2008.

Moya v. City of Long Beach

This case involves an automobile accident which occurred on December 17, 2006. The officer was stopped in the left turn lane at the intersection when he decided to begin his left turn and failed to notice the Plaintiff's vehicle travelling through the intersection on a green light. The impact was

substantial.

There were three Plaintiffs in the vehicle, who complained of pain and injuries. Their medical special amounted to \$8,203.00. The total specials including property damage, lost earnings and medicals amount to \$11,666.00.

After negotiations, the parties tentatively agreed to a full and complete settlement, inclusive of all costs and fees in the amount of \$16,500.00.

The proposed settlement was presented to the Economic Development and Finance Committee on August 5, 2008 and was approved on that date. We therefore ask authority to pay the sum of \$16,500.00 in full settlement of this claim against the City of Long Beach.

Kiran Taneja v. City of Long Beach

On November 10, 2006, a LBPD officer used a taser against Kiran Taneja. There was conflicting testimony about whether the taser use was justified. The officer maintained that he used the taser to prevent the plaintiff from reaching for a box-cutter knife on the ground, several witnesses say that Taneja never reached for the box-cutter. The plaintiff did not suffer any permanent physical injury but claimed significant emotional distress and pain and suffering. After extensive discussion, a tentative settlement of \$87,500 was reached.

The Economic Development and Finance Committee approved the proposed settlement on August 5, 2008.

Approve recommendation.

Respectf
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submitted

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ROBERT
E.
SHANNO
N, City
Attorney

By:

NAME
TITLE

INITIALS

