

11-0147

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED

#54

MOTION

OCT 12 2011

At the City Council meeting held on February 23, 2011, the City Council adopted recommendations of the City Attorney in order to effect settlement in the cases entitled Martha Awe and Sheheen Awe v. City of Los Angeles, Los Angeles Superior Court (LASC) Case No. BC411959; Mark Cosham and Emely Cooper v. City of Los Angeles, LASC Case No. BC412070 and Cristin Escobar v. City of Los Angeles, LASC Case No. BC414363. (This matter involved a dangerous condition of public property, double-fatality/brain damage accident which occurred on Crescent Drive in the Hollywood Hills above the Sunset Strip; Council File No. 11-0147). The City Council adopted, among other recommendations, recommendations to:

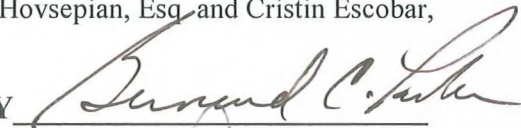
1. AUTHORIZE the City Attorney to pay plaintiffs in these consolidated matters a total of \$1,750,000.00 in settlement of the above entitled matter from City Attorney Fund 100, Department 59, Account No. 9770.
2. AUTHORIZE the City Attorney to draw a demand thereon in said amount payable to the Law Offices of Otto L. Haselhoff, P.C., the Law Offices of Michael P. Ehline, P.C., Mark Cosham and Emely Cooper, Plaintiffs; and the Law Offices of Yuhl, Stoner and Carr, LLP and Martha Awe and Sheheen Awe, Plaintiffs; and the Law Offices of Raymond Hovsepien, Esq. and Cristin Escobar, Plaintiff.

In April, 2011, while the releases were out for signature, Martha and Sheheen Awe, unhappy with their \$250,000 share of the settlement proceedings, fired their first counsel and retained another attorney. Over the past five months, the parties have been engaged in negotiations with a mediator for a global resolution of the case (including other previously non-settling plaintiffs) and the Awes' obtaining a greater portion of the settlement amount. At the conclusion of the mediation, a binding settlement was achieved, pending City Council approval of the change of the payees of the checks. This motion does not increase the amount of the settlement previously approved by the City Council on February 23, 2011.

I THEREFORE MOVE that Recommendation No. 2 of the City Council action taken February 23, 2011 in Council File No. 11-0147 be amended so that the City Council, SUBJECT TO THE APPROVAL OF THE MAYOR:

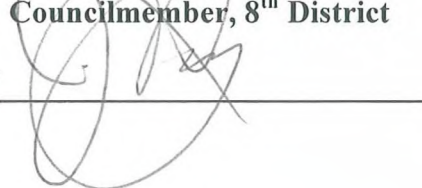
2. AUTHORIZE the City Attorney to draw demands for the total settlement of \$1,750,000.00, paid as follows:
 - a. \$1,400,000 made payable to the Law Offices of Otto L. Haselhoff, P.C., the Law Offices of Michael P. Ehline, P.C., Mark Cosham and Emely Cooper, Plaintiffs
 - b. \$ 250,000 made payable to Jeffrey A. Kaiman and Associates, The Law Offices of Yuhl, Stoner and Carr, LLP and Martha Awe and Sheheen Awe, Plaintiffs
 - c. \$100,000. made payable to the Law Offices of Raymond Hovsepien, Esq. and Cristin Escobar, Plaintiff

PRESENTED BY



BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY



OCT 12 2011

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