



## Risk Management & Torts



Our goal is to reduce claims and litigation costs for our clients. We take a pro-active role in handling claims for the cities we represent. It is our experience training staff on methods to avoid litigation, early recognition of liability exposure through evaluations, incident reviews prior to the receipt of claims and lawsuits, and review of settled and resolved claims with involved staff and management to enhance "best practices" are all elements that have reduced claims and litigation.

We keep management and city councils fully informed as to the status of claims and to provide early advice on whether settlement is advisable. We focus on resolving disputes early and cost-effectively while protecting our clients' interests.

Once matters are in litigation, we take a hands-on approach by personally investigating accident sites with City staff and claims administrators, as well as developing a comprehensive litigation approach to minimize legal costs while providing an aggressive defense of our clients. We have worked with many public joint powers insurance authorities (CJPIA, PERMA, ICRMA, BICEP, etc.) as well as private insurers, and are experienced with handling claims in a manner meeting strict claim administration requirements. We pride ourselves on regular and effective communication with our clients and insurers to meet their needs throughout all aspects of litigation including providing comprehensive litigation budgets. Most of all, we pride ourselves on providing good results.

### Expertise

- Advisory work on claims, insurance needs, and risk avoidance
- Dangerous condition matters on public streets, sidewalks, parks and other public property including wrongful death and serious injury actions
- Specialized public properties such as recreation areas, hillsides, trails, reservoirs, drainage facilities, etc.
- Slope failure and landslide litigation
- Employee automobile accident defense
- Defamation claims against City employees

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- Civil rights claims against cities, including jail facilities and police officers
- Enactment and enforcement of municipal ordinances
- Instructions and updates on risk management and applicable laws
- Post-certified instruction on police practices
- Consultation with Police Chiefs on risk prevention

## Expertise in Action

Our attorneys have a long history of successfully serving our clients in complex matters. The following are examples of matters that our attorneys have successfully handled:

*Illingworth v. City of Cypress.* The Court of Appeal held the Anti-SLAPP statute was applicable to the free speech conduct of a City of Cypress employee. Specifically, the Court of Appeal held the employee was immune for her free speech activities made on behalf of Cypress to preserve a city lease agreement. This decision resulted in Cypress being awarded nearly \$60,000 in attorneys' fees and costs. Plaintiff's \$2,000,000 lawsuit against the City and its employee was also defeated in this litigation.

*Rasmussen v. City of Cypress.* We obtained a summary judgment that was affirmed on appeal in favor of our client who prevailed on its trivial defect defense in a serious injury trip-and-fall accident.

*Craig Teter v. City of Newport Beach.* The California Supreme Court clarified a person arrested for public intoxication is a prisoner for the purpose of Government Code Immunities and there is no liability for damages sustained by a prisoner as a consequence of conditions that are common to all inmates and represent reasonable application of policy determinations by jail or prison authorities.

We obtained favorable outcomes on litigation on multiple police excessive force cases for the City of Inglewood, City of Bell Gardens, City of Palm Springs, and City of Banning.