

MOTION

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED #52

The City Administrative Officer (CAO) intends to assign the defense of LAPD Captain Lillian Carranza to conflict counsel panel firm Olivarez Madruga Lemieux & O'Neill ("the Olivarez firm") in the matter of Jonathan Tom and Yoomi Tom v. City of Los Angeles; Los Angeles Police and Revolver Athletic Club; Lillian Carranza, et al. (22STCV00224).

The Olivarez firm notified the CAO that it currently represents the City of Inglewood and Mayor James T. Butts in a case against the City of Los Angeles arising out of an unrelated traffic collision case (City of Los Angeles v. James Thurman Butts, Jr., et al., 20STCV20284) where Inglewood's mayor was in a traffic collision that injured a City of Los Angeles employee. In that case the City of Los Angeles is represented by outside subrogation counsel.

Noting the conflict of the firm having a case against the City of Los Angeles, the Olivarez firm alerted the CAO and requested a waiver of conflict of interest. The CAO consulted with the City Attorney's Office to determine if the City of Inglewood case has any overlapping facts of elements with the Tom case. Inasmuch as the Tom case is primarily an employment case against the Los Angeles Police Department (LAPD) with allegations of Fair Employment and Housing Act (FEHA) violations, while the City of Inglewood cases involves a traffic collision, there is no likely overlap of facts or elements of law, and there is no great risk to the City in granting a waiver.

Because of the firm's representation of the City, Rule 3-310 of the California Rules of Professional Conduct preclude its adverse representation without a waiver from the City. The firm has requested such a waiver and the CAO, recommends that the waiver be approved.

I THEREFORE MOVE that the request from the firm for a waiver of conflict of interest, as presented above, be approved and that the CAO or his designee be authorized to execute the waiver on behalf of the City.

Presented by: Paul Krekorian
PAUL KREKORIAN
Councilmember, 2nd District

Seconded by Mary Martinez

ORIGINAL

MAR 08 2022