



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R 23 - 0112  
MAR 28 2023

**REPORT RE:**

**REQUEST FOR WAIVER OF CONFLICT OF INTEREST  
FOR KAHANA FELD, LLP  
RELATED TO THE MATTER OF  
*JO ANNE KORNGUTE v. CITY OF LOS ANGELES, et al.*  
(LASC Case No. 22STCV36947)**

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

**Honorable Members:**

The City is in receipt of a request from the law firm Kahana Feld, LLP for waiver of a conflict arising from its representation of defendant Taylor Equities 15, LLC ("Taylor Equities") in a lawsuit in which the City of Los Angeles ("the City") is also a defendant.

Kahana Feld currently represents the City in the matter of *Elya Bondar v. City of LA* (LASC Case No. 21STCV20099), in which case Plaintiff Bondar alleges he was injured by a malfunctioning golf cart at Woodley Lakes Golf Course. The case was successfully tendered under the insurance policy the Department of Recreation and Parks carries on its golf carts, and Kahana Feld was assigned to defend the City.

Kahana Feld has now been asked to represent Taylor Equities in a lawsuit filed by Plaintiff Korngute who alleges she was injured after tripping and falling over a broken sidewalk. Korngute sued the City and the adjacent property owner, Taylor Equities.

While we are on the same side of the "v", the interests of the City and Taylor Equities may not be entirely aligned in the lawsuit, as the City may argue that Taylor Equities' activities at the property caused or contributed to the broken sidewalk that caused or contributed to Plaintiff Korngute's injuries.

The California Rules of Professional Conduct preclude a potentially adverse representation without a waiver. After considering the facts here, the City Attorney recommends that the waiver be approved. Not only do the two cases deal with two different properties, Kahan Feld has assured that no privileged or proprietary information obtained from the City in the *Bondar* matter would conflict with the firm's representation of Taylor Equities. The firm has also confirmed that it will create an ethical wall between these unrelated matters to ensure that no information from one case pertaining to the City of Los Angeles will be used or even considered in the other.

If you have any questions regarding this matter, please contact the undersigned at (213) 978-8100. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

HYDEE FELDSTEIN SOTO, City Attorney

By

  
ANNE HALEY  
Assistant City Attorney