



COUNTY OF LOS ANGELES
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RODRIGO A. CASTRO-SILVA
County Counsel

November 2, 2021

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**SETTLEMENT OF LITIGATION ARISING OUT OF HELICOPTER
CRASH IN THE SANTA MONICA MOUNTAINS
(ALL DISTRICTS AFFECTED)
(3 VOTES)**

SUBJECT

Recommendation to settle two lawsuits filed against the Sheriff's Department ("LASD") and the Fire Department ("Fire") arising out of the January 26, 2020 helicopter crash that killed nine individuals.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve settlement in the amount of \$1,250,000 in Matthew Mauser, et al. v. County of Los Angeles, et al., U.S. District Court Case No. CV 21-00497.
2. Approve settlement in the amount of \$1,250,000 in John James Altobelli, et al. v. County of Los Angeles, et al., U.S. District Court Case No. CV 21-04663.
3. Instruct the Auditor-Controller to draw warrants to implement these settlements from the LASD and Fire budgets.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

There are four related lawsuits arising out of the tragic January 2020 helicopter crash that killed nine members of the Bryant, Chester, Mauser, and Altobelli families. The crash attracted international attention when the public learned that Kobe Bryant and his daughter had died. In the aftermath of the crash, allegations that photos from the accident scene had been shared became public knowledge.

The Mauser and Altobelli plaintiffs claim that members of LASD and Fire improperly took and shared photos of the crash site, including photos that depicted the remains of their loved ones. Plaintiffs allege that LASD and Fire personnel violated their constitutional rights to control the death images of their loved ones and their privacy rights, by taking and sharing photos of their loved ones' remains, and that the County is responsible for its employees' actions.

Proposed settlements with these families have been reached. Your Board's authorization is now required to complete the proposed settlements with the surviving members of the Mauser and Altobelli families. The settlements will result in payment of \$1,250,000 to the Mauser plaintiffs and \$1,250,000 to the Altobelli plaintiffs. Given the risks and uncertainties of litigation, as well as the tragic accident giving rise to the lawsuits, fair and reasonable settlements at this time will avoid further litigation costs; therefore, full and final settlements of the two cases are warranted.

FISCAL IMPACT/FINANCING

The County is represented by the Miller Barondess, LLP, law firm. To date, fees and costs incurred for both cases amount to approximately \$1,292,592. Payment of such fees and costs will be divided between LASD's and Fire's existing budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The parties have engaged in substantial settlement negotiations and reached the proposed settlements. Based on the agreements reached by the parties, we recommend settling the Mauser and Altobelli lawsuits for \$1,250,000 each. The settlement agreements are subject to your Board's approval.

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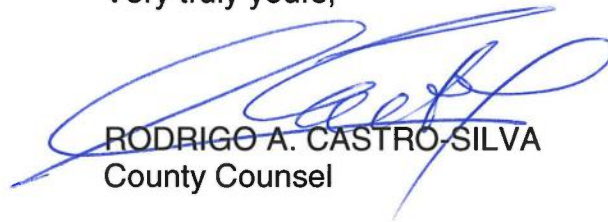
IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

County Counsel recommends that your Board approve settlement of these two matters, and instruct the Auditor-Controller to draw warrants to implement the settlements from the LASD and Fire budgets.

Very truly yours,



RODRIGO A. CASTRO-SILVA
County Counsel

RAC:mag

c: Honorable Alex Villanueva
Sheriff

Fesia A. Davenport
Chief Executive Officer

Celia Zavala
Executive Officer
Board of Supervisors

Anthony C. Marrone
Interim Fire Chief