

SETTLEMENTS OVER \$50,000 FINALIZED IN MAY 2022

Case Name	Date Settled	Amount	Description	Notes
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No Settlements to Report

LITIGATION AS OF MAY 27, 2022

Case Number	Full Case Name	Status	Category	Case Description	Case Notes	Amount Claimed	Dismissed Date	Settled Date	Settlement Amount
CODE ENFORCEMENT / RECEIVERSHIPS									
MCV-252325	<i>People of the State of California, City of Santa Rosa v. The Testate and Interstate Successors of David L. Mosher and Rosemary Mosher, Deceased, and all persons Claiming by, through, or under such Decedents any Legal or Equitable Right, Title, Estate, Lien, Interest in Real Property Commonly Known as 3073 Lamberson Court, and DOES 1-25</i>	Active - Pleadings	Code Enforcement/Receivership	Complaint and Petition for injunctive Relief, Abatement of Nuisance, Appointment of Receiver and other equitable relief	The City's Petition to have a Receiver appointed was granted; City-recommended Receiver has a contractor on site rehabilitating the property; 8/3/2021 Order of Court authorizing sale of property; Hearing on City's Motion for Attorney's Fees/Costs scheduled for 05/11/2022.	According to Proof			
SCV-265933		Active - Pleadings	Code Enforcement/Receivership	Complaint and Petition for injunctive Relief, Abatement of Nuisance, Appointment of Receiver and other equitable relief. Lead based paint throughout home caused lead poisoning in a child. Home has been abandoned since that time, with the exception of occasional transients.	Receiver has been appointed and plan for rehabilitation has been approved by the Court and County Environmental Services; Remediation work has been completed and the property has been listed for sale.	According to Proof			
SCV-268150	<i>People of the State of California, City of Santa Rosa v. David Alan Vicini, and DOES 1-10</i>	Judgment	Code Enforcement/Receivership	Complaint for injunctive and other relief (Drug Abatement Act)	On 9/21/2021, Court granted City's application to close Vicini's residential drug house and issued Judgment in favor of the City including \$48,478 in fees and penalties; the matter is now fully adjudicated and the City is focusing on clean up/sale of property; additional costs of cleanup and sale according to proof; Case Management Conference scheduled for 3/22/2022. City is requesting dismissal.	According to Proof		9/21/2021	
SCV-268254	<i>People of the State of California, City of Santa Rosa v. The Testate and Intestate Successors of Dorothy E. Brown, deceased, and all persons claiming by, through, or under, such decedent any right, title, estate, lien, or interest in real property commonly known as 4034 Lancaster Avenue, Santa Rosa, and DOES 1-10</i>	Active - Pleadings	Code Enforcement/Receivership	Complaint and petition for injunctive relief, abatement of nuisance, appointment of receiver and other equitable relief	Case Management Conference scheduled for 08/18/2022.	According to Proof			
SCV-270140	<i>People of the State of California, City of Santa Rosa v. Paul and Annette Heidecker, The Bank of New York Mellon, FKA The Bank of New York, Does 1-10</i>	Active	Code Enforcement/Receivership	Complaint and petition for injunctive relief, abatement of nuisance, appointment of receiver and other equitable relief	Complaint and Petition have been served. Hearing on Appointment of Receiver scheduled for 6/7/2022.				

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GENERAL LITIGATION									
SCV-269762	<i>Owners and Renters Rights Association v. City of Santa Rosa</i>	Active - Set for Trial	General Litigation	Alleging civil rights violation in relation to City Ordinance ORD-2021-011 (Short Term Rentals Ordinance)	Plaintiff's Application for Temporary Restraining Order denied on 12/2/2021; discovery has commenced. Plaintiff has requested an extension of time to respond to written discovery, which was granted. Trial set for 3/3/2023.	According to Proof			
3:21-cv-06179	<i>David C. Rosas v. City of Santa Rosa, et al</i>	Active - Pleadings	General Litigation – ADA	Complaint of disability discrimination in violation of ADA, California Unruh Act, Malicious Prosecution Rico Act, Second Amendment, Fourteenth Amendment	Amended Complaint filed 2/25/2022; City's Motion to Dismiss has been filed; Initial Case Management Conference scheduled for 7/26/2022.	According to Proof			
SCV-265333	<i>Bay Cities Paving & Grading, Inc., a California corporation v. City of Santa Rosa, a body politic, and Does 1-50</i>	Active - Discovery	General Litigation – Breach of Contract	Allegation of Breach of Contract arising out of public works construction project	Preliminary discovery underway; possible mediation; Absent mediated settlement, three to five week trial anticipated.	According to Proof			
3:18-CV-01955-VC	<i>Nicholle Vannucci, Ellen Brown, and Shannon Hall, individuals; and Homeless Action!, an unincorporated association v. County of Sonoma, Sonoma County Community Development Commission, City of Santa Rosa, and Does 1 to XX</i>	Active - Set for Trial	General Litigation - Constitutional and ADA	Complaint for Declaratory Relief and Injunctive Relief (homeless encampments)	Jury trial has been set for 10/02/2023. Plaintiffs have advised that they intend to amend their complaint, and the judge has ordered that the plaintiffs' motion for leave to amend the complaint be filed by 06/10/2022. The next Case Management Conference is set for 02/08/2023.				
SCV-264359	<i>Sonoma Citizens for Transparency in Government v City of Santa Rosa, County of Sonoma</i>	Active - Pleadings	General Litigation – PRA	Plaintiff alleges that City wrongfully denied access to requested records under PRA.	Parties in discussion to conclude remaining issues so that case may be dismissed; Court Trial set for 2/9/2022 has been vacated and Case Management Conference scheduled for 07/12/2022.	According to Proof			
ED CV06-0055-GW	<i>United States, et al., ex rel. John Hendrix v. J-M Manufacturing Company, Inc., et al.</i>	Stayed	General Litigation – Qui Tam	Federal qui tam action (and stayed state court action) filed against water pipe manufacturer for false claims	The Court denied exemplar plaintiff damages; final judgment expected soon and likely appeal to the Ninth Circuit on multiple issues; City's claims (as non-exemplar plaintiff) are currently stayed.	According to Proof			
SCV-264530	<i>David Pelayo, Roberto Hernandez, Edmond Andre, Bryan Munoz, and Brian Medeiros, each as an individual, and on behalf of the general public for all those similarly situated v Utility Partners of America, LLC, a Delaware corporation; City of Santa Rosa and DOES 1 through 250, inclusive.</i>	Active - Set for Trial	General Litigation – Wage Claim	Plaintiffs' allege failure to pay prevailing wages and related compensation versus employer UPA for public works project; UPA alleges City is obligated to defend and indemnify UPA.	Early mediation was unsuccessful; Court overruled UPA's demurrer to City's cross-complaint; Court denied UPA's Motion for Summary Judgment/Adjudication; Discovery is ongoing; Trial is set for 11/4/2022.	According to Proof			
PERSONAL INJURY/DANGEROUS CONDITION									
SCV-263791	<i>Meyer, Tessala Dakota v. City of Santa Rosa, Does 1-20</i>	Active - Set for Trial	Personal Injury (Motorcycle Accident)	Claimant alleges SRPD officer negligent in operation of motorcycle which crashed into occupied tent on Joe Rodota Trail	Fact and expert discovery has been deemed closed by the trial court. Trial continued to 03/10/2023.	According to Proof			
SCV-265050	<i>Megan Marlow and Christian Andersen, as successor-in-interest v City of Santa Rosa, Chelino's Restaurant, DOES 1-50</i>	Active - Set for Trial	Personal Injury/Dangerous Condition	Alleged Personal Injury; Wrongful Death	Discovery is complete; Trial was continued to 09/30/2022 at plaintiff's request and by stipulation.	According to Proof			

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SCV-266515	<i>John DeGroot v. City of Santa Rosa, and DOES 1 to 10, Inclusive</i>	Active - Discovery	Personal Injury/Dangerous Condition	Claimant alleges he tripped on a broken piece of the curb, causing him to stumble and fall. Plaintiff alleges injuries as a result of his fall.	Written discovery has commenced against Plaintiff; Cross-Complaint has been filed against all owners of adjacent property; Two of the three property owners have filed Answers to City's Cross-Complaint; third property owner has been dismissed without prejudice; Plaintiff's deposition has been completed and mediation will be scheduled.	According to Proof			
SCV-267799	<i>Lisa Brayson v. City of Santa Rosa; HIGHWAY 29 WINE AND BISTRO, INC. DEPATRMENT29, INC. and DOES 1 to 100</i>	Active - Discovery	Personal Injury/Dangerous Condition	Claimant alleges she tripped over an uneven sidewalk, causing injury to left arm.	This case settled at mediation on 04/27/2022.	According to Proof		4/27/2022	\$5,000.00
SCV-268574	<i>Matthew Owens v. City of Santa Rosa, DOES 1 to 10 all inclusive</i>	Active - Pleadings	Personal Injury/Dangerous Condition	Claimant's bicycle tire got caught on lip of sidewalk causing them to fall and sustain several injuries.	Summons and Complaint were served on City on 12/21/2021 and since withdrawn; First Amended Complaint filed 02/04/2022. Dismissal with prejudice filed 5/5/2022.	According to Proof			
SCV-269190	<i>Carlos Jaureque by and through his guardian ad litem Annemarie Montes v. City of Santa Rosa, County of Sonoma, Luke Tully Ferrigno, and DOES 1 through 10, inclusive</i>	Active - Set for Trial	Personal Injury/Dangerous Condition	Dangerous condition of public property and negligence	Written discovery underway; Set for jury trial for 8/26/2022.	According to Proof			
SCV-269407	<i>Linda Jennings, v. City of Santa Rosa, County of Sonoma and DOES 1 to 20</i>	Active - Discovery	Personal Injury/Dangerous Condition	Plaintiff was hit by car and alleges defects in the roadway caused dangerous conditions resulting in bodily injuries	City was dismissed by plaintiff and cross-complainant after City provided declaration stating the location of the incident was not owned, maintained or controlled by CSR.	According to Proof	5/25/2022		
SCV-269667	<i>Sabrina Jones, an individual, v. City of Santa Rosa, a public entity; Sonoma County, a public entity; California Highway Patrol, a public entity; John Doe, an individual; and DOES 1 to 50. inclusive</i>	Active	Personal Injury/Dangerous Condition	Plaintiff alleges she sustained injuries when her trailer was impacted by a Sonoma County Sheriff's Office patrol vehicle.	City has filed an Answer and will commence discovery; Cross-complaints to be considered. Defendant State of California has not yet appeared in the case.				
SCV-269977	<i>Antonia Ibarra v. Charles Robinson; The City of Santa Rosa; and DOES 1-10</i>	Active - Pleadings	Personal Injury/Dangerous Condition	Claimant alleges they were injured during collision with City vehicle	City has filed an Answer; Initial Case Management Conference set for 5/31/2022.	According to Proof			
SCV-270108	<i>Andrew Gilmore, Deven Gilmore v. City of Santa Rosa, Sonoma County and DOES 1-100, inclusive</i>	Active	Personal Injury/Dangerous Condition	Claimants allege that due to dangerous conditions of overcrossing, claimant's motorcycle contacted debris, oil, fuel, and fluids left behind by City maintenance causing property damage and personal injuries.	City will file a timely responsive pleading and begin discovery.				
SCV-270376	<i>Eve Goldberg v. City of Santa Rosa; Argonaut Constructors, Inc. and DOES 1 to 30</i>	Active	Personal Injury/Dangerous Condition	Claimant alleges they tripped and fell due to protrusion in roadway	Discovery underway. Initial case management conference set for 07/14/2022.				
SCV-270583	<i>Karen Isabel Myers v. City of Santa Rosa, Casey Costello, Jennifer Costello, and DOES 1 to 20</i>	Active	Personal Injury/Dangerous Condition	Claimant alleges they fell as a result of a dangerous condition on sidewalk	Discovery is underway. Initial case management conference scheduled for 08/11/2022.				
SCV-270785	<i>Constance Brown v. City of Santa Rosa, and DOES 1 to 10, inclusive</i>	Active	Personal Injury/Dangerous Condition	Claimant alleges they tripped and fell over raised slab while walking on sidewalk	Case has just recently been filed. City's response to complaint is due on 6/15/22.				

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POLICE ACTION									
3:19-cv-02450-VC	<i>Debra Giambastiani v City of Santa Rosa Santa Rosa Chief of Police Robert Schreeder, Santa Rosa Officer Timothy Gooler, Santa Rosa Officer Tyler Laron, Santa Rosa Officer Christopher Mahurin, Santa Rosa Officer Kenneth Ferrigno, Santa Rosa employees DOES 1-25, County of Sonoma, Sonoma County Sheriff Mark Essick, Sonoma County employees DOES 26-50, Jointly and Severally</i>	Stayed	Police Action	Alleged civil rights violation; malicious prosecution; false arrest and imprisonment; assault and battery; negligence; invasion of privacy; intentional infliction of emotional distress	Case stayed; Appellant entered a no contest plea in the criminal case, however, she intends to file an appeal.	According to Proof			
3:21-cv-06890	<i>Robert J. McNutt, an individual, Aldona Dement, an individual, v. City of Santa Rosa, a public entity, Rainer Navarro, in his official capacity as Chief of Police for the City of Santa Rosa, Estate of Marylou Armer, individually and in her capacity as a detective for the City of Santa Rosa</i>	Active - Pleadings	Police Action	Plaintiff McNutt and his wife Dement allege that he was wrongfully arrested for child molestation	City's 2nd Motion to Dismiss for Failure to State a Claim has been filed and was scheduled to be heard on 3/17/2022; Judge dropped the hearing from calendar and we are awaiting his ruling.	According to Proof			
SCV-270468	<i>Maynard P. Buskirk v. Clarisa Pieri (aka Cody Pieri), an individual; City of Santa Rosa, a public entity; Santa Rosa City Schools, a public entity; Santa Rosa Police Department, a public entity; and does 1 through 10, inclusive</i>	Active	Police Action	Claimant alleges false statements and conspiracy by and between SRPD and Santa Rosa City Schools caused him financial disaster and mental anguish.	City filed a demurrer on 5/27/22. Awaiting court order and hearing date on demurrer.				
WRIT OF MANDATE									
SCV-266092	<i>James L. Duncan v Sonoma Marin Area Rail Transit District, City of Santa Rosa, County of Sonoma</i>	Active - Set for Trial	Writ of Mandate	Writ of Mandate and Complaint for Declaratory and Injunctive Relief relating to proposed Jennings Ave Crossing of SMART rail line. City is a Real Party in Interest and not a Defendant.	Discovery underway; Court Trial set for 7/8/2022.				
SCV-266092	<i>James L. Duncan v Sonoma Marin Area Rail Transit District, City of Santa Rosa, County of Sonoma</i>	Active - Set for Trial	Writ of Mandate	Writ of Mandate and Complaint for Declaratory and Injunctive Relief relating to proposed Jennings Ave Crossing of SMART rail line. City is a Real Party in Interest and not a Defendant.	Discovery underway; Court Trial set for 9/9/2022.				
SCV-268751	<i>Apogee Gardens, Inc., and Jason Smith v. City of Santa Rosa, City of Santa Rosa Planning and Economic Development, and Santa Rosa Code Enforcement and DOES 1-10 inclusive</i>	Active - Set for Trial	Writ of Mandate	Complaint for injunctive, and declaratory relief, and for writ of mandate to compel production of public records	Discovery underway; Plaintiff's counsel filed an ex parte application to continue the trial which has been approved and is now set for 11/4/2022.	According to Proof			
SVC-268752	<i>Western Manufactured Housing Communities Association and Rincon Valley dba Rincon Valley Mobilehome Park v. City of Santa Rosa; Department of Housing and Community of the City of Santa Rosa; Megan Basinger, in her official capacity as Interim Director of the Department of Community Services of the City of Santa Rosa; and DOES 1 through 20, inclusive</i>	Active - Pleadings	Writ of Mandate	Complaint for declaratory and injunctive relief; Petition for Writ of Traditional Mandamus; regarding mobile home park rent control ordinance - application of State price gouging limitations	A case management conference is set for 06/09/2022.	According to Proof			

NEW CLAIMS REFERRED TO THE CITY ATTORNEY'S OFFICE IN MAY 2022

Claimant Name	Date of Claim	Date of Incident	Claim Amount	Location	Description of Claim
<i>Guerrero, Tomas</i>	5/3/2022	4/12/2022	TBD	Parking lot of 3403 Santa Rosa Avenue	Claimant alleges their vehicle was struck by an SRPD officer when exiting parking lot