SETTLEMENTS OVER $50,000 FINALIZED IN FEBRUARY 2023

Case Name	Date Settled	Amount	Description	Notes

No settlements to report

LITIGATION AS OF MARCH 3, 2023

Case Number	Full Case Name	Status	Category	Case Description	Case Notes	Amount Claimed	Dismissed Date	Settled Date	Settlement Amount
CODE ENFORCEMENT/RECEIVERSHIP									
SCV-265933	People/City v. Davis Properties, A General Partnership, American Savings Bank, Does 1-10	Settled	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 sold; The Receiver is preparing a Final Accounting and Report, after which the matter will be concluded; Receiver's Motion Approving Final Report and Accounting is set for 1/18/23; a further Case Management Conference re: dismissal is set for 3/2/2023.	According to Proof			
GENERAL LITIGATION									
SCV-269762	Owners and Renters Rights Association v. City of Santa Rosa	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 and City's Motion to Compel further discovery responses was granted and sanctions were ordered; plaintiff has failed to timely serve responses pursuant to Court's Order; a second motion to compel will be filed; Trial is set for 11/3/2023.	According to Proof			
SCV-265333	Bay Cities Paving & Grading, Inc., a California corporation v. City of Santa Rosa, a body politic, and Does 1-50	Active - Set for Trial	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; Case Management Conference set for 3/23/2023 for resetting date of jury trial. Mediation is in the process of being scheduled.	According to Proof			
3:18-CV-01955	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 I to XX	Active - Set for Trial	General Litigation - Constitutional and ADA	Complaint for Declaratory Relief and Injunctive Relief (homeless encampments)	Jury trial has been set for 10/2/2023; the next Case Management Conference is set for 6/7/2023; The Court granted leave to the Plaintiffs to file a Second Amended Complaint and the City has filed its Answer; Discovery has commenced and is ongoing,				
CV 22-4284 SK	Denise McCloud, Brian Bara, Kristopher Anderson Francois, Mercedes Juanita Flores, Tim Rucker, Wilbert Ray Fields, John Clay v. County of Sonoma, County Administrator Sheryl Bratton, Sonoma County Regional Parks, Sonoma County Regional Park Director Bert Whitaker, City of Santa Rosa, City of Santa Rosa Manager Maraskeshia Smith, DOES 1-10	Active - Pleadings	General Litigation - Constitutional and ADA	Complaint pursuant to 42 USC 1983 filed concurrently with emergency application for temporary restraining order and preliminary injunction to prevent encampment closure based upon notice issued by Sonoma County officials	Plaintiffs indicated their intent to dismiss City Defendants from this lawsuit by 12/16/2022 per the Joint Case Status Report, filed on 11/11/2022. New Case status Conference filed on 1/28/2023 indicating plaintiffs would dismiss City of Santa Rosa by 2/3/2023 but so far it has not been done.				
SCV-271224	STG Unocal Place v. City of Santa Rosa and DOES 1 to 10	Active - Discovery	General Litigation - Property Damage	Plaintiff alleges property damage as a result of flooding caused by the negligence of CSR employees.	Plaintiff's Complaint was served on 08/11/2022; an Answer has been filed and discovery has commenced; plaintiff has filed for leave to amend complaint; Mediation is scheduled for May 1st.	According to Proof			
SCV-272177	Mark Kimmel v. Wyatt Irrigation Co, Phil Wyatt, Rita Wyatt, City of Santa Rosa, DOES 1 to 20	Active - Pleadings	General Litigation - Property Damage	Alleges vehicle damage due to driving into drainage ditch along Yolanda Ave at entrance into Wyatt Irrigation Co.	Plaintiff filed an amended complaint on 2/17/2023; initial Case Management Conference scheduled for 4/27/2023.	According to Proof			
ED CV06-0055-	United States, et al., ex rel. John Hendrix v. J-M Manufacturing Company, Inc., et al.	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			

LITIGATION AS OF MARCH 3, 2023

Case Number	Full Case Name	Status	Category	Case Description	Case Notes	Amount Claimed	Dismissed Date	Settled Date	Settlement Amount
SCV-264530	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.	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 indemnity UPA.	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; Although global mediation has been unsuccessful, City and Plaintiffs have separately reached a tentative settlement, which, if approved by the Court, would resolve the case as to the City. (Litigation would continue between Plaintiffs and UPA alone.) Plaintiffs filed a motion for Court approval of the settlement as a good faith settlement, which UPA has opposed; Hearing on the good faith settlement has been set for April 5, 2023; Trial has been continued to 7/28/2023.	According to Proof			
PERSONAL INJURY/DANGEROUS CONDITION									
SCV-263791	Meyer, Tessala Dakota v. City of Santa Rosa, Does 1-20	Active - Set for Trial	Personal Injury/Dangerous Condition	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 3/10/2023.	According to Proof			
SCV-269190	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	Settled	Personal Injury/Dangerous Condition	Dangerous condition of public property and negligence	Ferrigno, a named co-defendant and party against whom the City filed a cross-complaint, settled with the plaintiff for $25,000. The case against the City will be dismissed with prejudice as part of the global settlement agreement once all outstanding lien issues are resolved between Ferrigno and the plaintiff.	According to Proof			
SCV-269603	Leocha Metellus-McLemore v. City of Santa Rosa, DOES 1 to 25	Active - Pleadings	Personal Injury/Dangerous Condition	Claimant alleges they suffered physical and emotional pain during arrest.	Hearing on Motion to Set Aside Dismissal is set for 3/22/23.	According to proof			
SCV-269667	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	Active - Pleadings	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 has commenced discovery; Cross-complaint has been filed for indemnity and contribution; Defendant State of California has not yet appeared in the case; City has served an offer to compromise for a waiver of costs; City has a motion to compel discovery responses from plaintiff currently on calendar; Plaintiff's attorney has filed a motion to be relieved as counsel.	According to Proof			
SCV-269977	Antonia Ibarra v. Charles Robinson; The City of Santa Rosa; and DOES 1-10	Active - Set for Trial	Personal Injury/Dangerous Condition	Claimant alleges they were injured during collision with City vehicle	City has reached an unconditional settlement with Plaintiff for $13,500 on 2/23/2023; pending finalization of settlement with dismissal to follow.	According to Proof			
SCV-270108	Andrew Gilmore, Deven Gilmore v. City of Santa Rosa, Sonoma County and DOES 1-100, inclusive	Active - Set for Trial	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 has filed an Answer to the Complaint; discovery is underway; motion to compel Plaintiff's discovery responses set for hearing on 3/1/2023; Trial set for 9/8/2023. Plaintiffs filed a dismissal of the action on or about 2/17/23. Awaiting Court confirmation of dismissal.	According to Proof			
SCV-270583	Karen Isabel Myers v. City of Santa Rosa, Casey Costello, Jennifer Costello, and DOES 1 to 20	Settled	Personal Injury/Dangerous Condition	Claimant alleges they fell as a result of a dangerous condition on sidewalk	City has filed an Answer to the Complaint and a Cross-Complaint; further discovery is underway; Plaintiff's deposition was completed on 10/28/2022; Trial set for 6/2/2023; Mediation set for 1/3/2023; Case was resolved at mediation and the parties are preparing release agreements and will thereafter be filing dismissals.	According to Proof			$ 3,000.00
SCV-270785	Constance Brown v. City of Santa Rosa, and DOES 1 to 10, inclusive	Active - Set for Trial	Personal Injury/Dangerous Condition	Claimant alleges they tripped and fell over raised slab while walking on sidewalk	City has filed an Answer to the Complaint; discovery is underway; Plaintiff's deposition to be scheduled upon receipt and review of subpoenaed records; Trial set for 10/6/2023.	According to Proof			
SCV-270898	Cindy Gemignani, as conservator of the Estate of Daryl W. Titus v. City of Santa Rosa, Jose Andrade and DOES 1-20 inclusive	Active - Pleadings	Personal Injury/Dangerous Condition	Claimant alleges they suffered injuries when struck by a vehicle when an off duty SRPD officer instructed him to cross street	Complaint has been served and an Answer has been filed on behalf of City of Santa Rosa and the officer; discovery has commenced; The matter has been set for further Case Management Conference in order to allow plaintiff additional time to serve co-defendant with the Complaint.	According to Proof			

LITIGATION AS OF MARCH 3, 2023

Case Number	Full Case Name	Status	Category	Case Description	Case Notes	Amount Claimed	Dismissed Date	Settled Date	Settlement Amount
SCV-271238	Cathleen Cisneros v. City of Santa Rosa, Linda Corwin, and DOES 1 to 10	Active - Discovery	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they hit a low hanging tree branch hanging over sidewalk	City has filed an Answer and Cross-Complaint; all parties have appeared and discovery has commenced; Initial Case Management Conference was held 2/9/2023. Trial has been set for 2/23/24.	According to Proof			
SCV-271731	Paula Littleton v. City of Santa Rosa, Hanna Holdings LLC, and Does 1-10	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges they tripped and fell over a cut-down street sweeping sign	City has filed an Answer and discovery has commenced; Case Management Conference set for May 23, 2023.	According to Proof			
SCV-272128	Bruce Baxter v. City of Santa Rosa, Steven R. Savage, and DOES 1 to 100 inclusive	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they tripped and fell due to uneven sidewalk	Answer has been filed and discovery has commenced. Case Management Conference set for April 13, 2023.	According to Proof			
SCV-272148	Tomas Guerrero v. City of Santa Rosa, Santa Rosa Police Department, Jonathan Morgan, and Does 1-10	Active - Pleadings	Personal Injury/Dangerous Condition	Alleges police officer failed to yield right of way and collided with plaintiff's vehicle	City filed its Answer on 2/15/2023. The initial Case Management Conference is scheduled for 4/18/2023.	According to Proof			
SCV-272343	Kim Taylor v. City of Santa Rosa and Does 1-10	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they tripped and fell due to uneven sidewalk	Complaint served on defendant City of Santa Rosa on 2/8/2023; initial Case Management Conference scheduled for 6/8/2023.	According to Proof			
SCV-272486	Eveline Jones v. City of Santa Rosa; and DOES 1 to 50, inclusive	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they tripped and fell due to uneven sidewalk	Complaint served on defendant City of Santa Rosa on 2/10/2023; initial Case Management Conference scheduled for 6/20/2023.	According to Proof			
POLICE ACTION									
3:19-cv-02450-	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	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; the matter remains stayed.	According to Proof			
3:22-cv-05270	ANGELINA LOPEZ, individually and as cosuccessor-in interest to Decedent JORDON PAS; E.L., individually and as co-successor-in interest to Decedent JORDON PAS; J.P., individually and as co-successor-in interest to Decedent JORDON PAS; NEYO ALVAREZ, individually and as co-successor-in interest to Decedent JORDON PAS; SESERINA ALVAREZ, individually and as co-successor-in interest to Decedent JORDON PAS; C.P., individually and as co-successor-in interest to Decedent JORDON PAS; D.P., individually and as co-successor-in interest to Decedent JORDON PAS, vs. CITY OF SANTA ROSA, municipal corporation; MATTHEW CROSBIE, individually and in his capacity as a Police Sergeant for the CITY OF SANTA ROSA; JONATHAN MORGAN, individually and in his official capacity as a Police Officer for the CITY OF SANTA ROSA; ROBERT MOORE, individually and in his official capacity as a Police Officer for the CITY OF SANTA ROSA; FRANK SEDENO, individually and in his official capacity as a Police Officer for the CITY OF SANTA ROSA; and DOES 1-50,	Active - Pleadings	Police Action	Complaint alleges Violation of Civil Rights, Excessive Force, Wrongful Death, Negligence, Assault & Battery, Violation of California Civil Code §52.1, and Intentional Infliction of Emotional Distress	Complaint served on defendant City of Santa Rosa on 11/3/2022. Plaintiffs filed a First Amended Complaint in response to the City's 12(c) Motion. City filed its Answer to the operative pleading on 1/17/2023. The initial CMC is scheduled for 2/23/2023.	According to Proof			
SCV-270820	James Lindsey v. Santa Rosa Police Department and Officers Jason Jucutan, T. White, D. Schindler, B. Wright, J. Badger, George Berg	Active - Pleadings	Police Action	Claimant alleges civil rights were violated during arrest.	City's Answer filed on 7/5/2022. Initial Case Management Conference is set for 1/17/2023; CMC continued to 5/9/2023.	According to Proof			
WRIT OF MANDATE									

LITIGATION AS OF MARCH 3, 2023

Case Number	Full Case Name	Status	Category	Case Description	Case Notes	Amount Claimed	Dismissed Date	Settled Date	Settlement Amount
SCV-266092	James L. Duncan v Sonoma Marin Area Rail Transit District, City of Santa Rosa, County of Sonoma	Stayed	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.	Judgment was entered by the Court granting Defendant SMART District's Motion for Summary Judgment on 7/19/2022; Plaintiff filed a Notice of Appeal on 08/04/2022.				
SCV-272714	Airport Business Center, a California limited partnership v. City of Santa Rosa; City Council of the City of Santa Rosa; and DOES 1 through 25, inclusive	Active - Pleadings	Writ of Mandate	Writ of Mandate and Complaint for Declaratory and Injunctive Relief relating to designation of a parking garage (Garage 5) as surplus property under Surplus Land Act.		According to Proof			
SVC-268752	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	Active - Set for Trial	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	City filed an answer to Plaintiff's Amended Complaint on 8/31/2022; Motion for Summary Judgment filed and hearing set for 3/29/2023; Trial set for 9/8/23.	According to Proof			

NEW CLAIMS REFERRED TO THE CITY ATTORNEY'S OFFICE IN FEBRUARY 2023

Claimant Name	Date of Claim	Date of Incident	Claim Amount	Location	Description of Claim
Beanchamp, Dedria	2/3/2023	8/22/2022	over $25,000	1111 14th St, Santa Rosa	Claimant alleges the City is responsible for placing her mother in housing complex and for authorizing the inspection where the power was turned off, resulting in mother's death
Moeller, Adam	2/8/2023	12/23/2022	over $25,000	Sonoma Avenue, 90ft of Hahman Drive	Claimant alleges CityBus employee made unsafe turn causing collision with claimant's vehicle, resulting in injuries
Aguilera, Josefina Moreno	2/9/2023	11/25/2022	over $25,000	B Street near 3rd Street, Santa Rosa	Claimant alleges CityBus employee negligently operated their vehicle causing collision with claimant's vehicle, resulting in injuries