

SETTLEMENTS OVER \$50,000 FINALIZED IN MAY 2024

Case Name	Date Settled	Amount	Description	Notes
<i>Meadowgreen No. 2 Homeowners Association</i>	5/19/2024	City paid \$263,000 in exchange for a release of all claims; as part of settlement, parties entered into a maintainance agreement to clarify their respective maintainance obligations; settlement agreement was contingent on City Council appropriating funds to pay settlement.	Meadowood alleged that City is responsible for maintaining the creek and banks on Parcel A under the terms of the City's drainage easement, and asserted that City's failure to do so made the City liable to pay for the Project cost	City Council adopted a resolution appropriating funds for the City to pay the settlement amount on June 4, 2024.

NEW CLAIMS REFERRED TO THE CITY ATTORNEY'S OFFICE IN MAY 2024

Claimant Name	Date of Claim	Date of Incident	Claim Amount	Location	Description of Claim
Lundgren, Robert	5/7/2024	11/30/2023	To be determined	City of Santa Rosa	Claimant alleges they sustained injuries when they fell over an asphalt patch surrounding a water utility cover while riding a scooter in the bike lane
Bohanan, Lucas	3/5/2024	1/22/2024	To be determined	City of Santa Rosa	Claimant alleges wrongful termination
Martinez- Gomez, Erika	5/9/2024	12/8/2023	over \$25,000	City of Santa Rosa	Claimant alleges dangerous conditions of public property contributed to vehicle accident causing injuries

LITIGATION AS OF JUNE 4, 2024

Case Number	Full Case Name	Status	Category	Case Description	Case Notes	Amount Claimed	Dismissed Date	Settled Date	Settlement Amount
CODE ENFORCEMENT/RECEIVERSHIP									
SCV-273045	People of the State of California, City of Santa Rosa v. The Testate and Intestate Successors of Norman Hartung, Deceased, and all Persons Claiming by, Through, or Under Such Decedent Any Right, Title, Estate, Lien or Interest in Real Property Known as 642 Benjamins Road, Santa Rosa, and Does 1-10	Active	Code Enforcement/Receivership	Receivership	Complaint filed 3/13/2023; Receiver appointed by Order of the Court on 6/17/2023; the executor of the decedent's estate filed a Motion to Set Aside the Receivership Petition on 12/19/2023, which was argued and then continued until 5/22/2024.	According to Proof			
GENERAL LITIGATION									
3:18-cv-01955-VC	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	Active - Set for Trial	General Litigation - Constitutional and ADA	Complaint for Declaratory Relief and Injunctive Relief (homeless encampments)	Discovery was underway when case was stayed on 1/19/2024 pending a decision by the United States Supreme Court in Grants Pass v. Johnson; Trial has been continued to 9/9/2024.				
ED CV06-0055-GW	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			
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.	Settled	General Litigation - Wage Claim	Plaintiff alleges 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.	Mediation involving all parties was unsuccessful; Court granted UPA's motion for summary judgment on equitable indemnity; Court overruled UPA's demurrer to City's cross-complaint for contractual indemnity, thereby leaving both UPA's and the City's claims for indemnity in place; Discovery is underway; Although global mediation has been unsuccessful, City and Plaintiffs have separately reached a tentative settlement, subject to Court approval; The settlement provides for payment of \$250,000 in exchange for full release of liability in the case. The Superior Court approved the settlement on 4/11/2023; The approval of the settlement was affirmed by the Court of Appeal on 6/14/2023; The City has no further liability in the matter, but may retain additional rights; Legal counsel is currently considering next steps; Trial for City's claim against UPA is scheduled on 11/15/2024.	According to Proof		6/14/2023	\$ 250,000.00
OTHER									
24CV02546	CLARE HARTMAN v. CITY OF SANTA ROSA, and DOES 1 TO 10	Active - Pleadings	Other	Plaintiff alleges wrongful termination, discrimination, failure to provide reasonable accommodation and retaliation.	Complaint served on City on 5/8/2024; City answered on 6/5/24; discovery has commenced.	According to Proof			
SCV-373555	ANGELINA LOPEZ, individually and as co-successor-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 CROSSIE, 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	Active - Pleadings	Other	Complaint for Public Nuisance, Civil Conspiracy, Willful Misconduct, and Violation of Fish and Game Code § 3650(a)(1).	Service of Complaint on all defendants is complete; defendants filed Answer on 10/30/2023; discovery was stayed pending mediation; mediation was unsuccessful; discovery has commenced.	According to Proof			
PERSONAL INJURY/DANGEROUS CONDITION									
23CV01446	DAVID KILONZO v. CITY OF SANTA ROSA; DELIA SANCHEZ; AND DOES 1-10	Active - Set for Trial	Personal Injury/Dangerous Condition	Plaintiff alleges a City employee operating a City bus rear-ended his vehicle resulting in vehicle damages and bodily injury	The Complaint was filed on 11/11/2023; City's responsive pleading to First Amended Complaint was filed on 2/28/2024; discovery has commenced; Trial date set for 2/7/2025.				
23CV01723	ATTICUS PEARSON, a minor, by and through his Guardian Ad Litem MARGARET AMANDA PEARSON v. CITY OF SANTA ROSA; REYNALDO ZAMORA-RUIZ, JR., ROSALIE JULIANA LEHANE and DOES 1 through 25 (MINOR)	Active - Pleadings	Personal Injury/Dangerous Condition	Claimant alleges a dangerous condition in crosswalk resulted in claimant's son to be struck by motor vehicle	The City was served with the Complaint on 1/16/2024; before an Answer was filed, the plaintiff passed away; City awaits service of the Complaint for Wrongful Death. The next Case Management Conference is scheduled for 10/8/2024.	According to Proof			
24CV00351	Integon National Insurance Company v. Cindy Gemignani, as conservator of the Estate of Daryl W. Titus; City of Santa Rosa; Jose Andrade; Ivan Medina; Alberto Yaguez Rojas; and Does 1-50	Active - Pleadings	Personal Injury/Dangerous Condition	Insurance Company alleges it has no duty to cover a loss caused by its insured, Ivan Medina	Complaint filed 1/19/2024; Complaint for declaratory relief; City timely filed an Answer; City will initiate discovery once the pleadings are finalized.	According to Proof			
24CV01061	DAVID O'CONNELL v. CITY OF SANTA ROSA, COUNTY OF SONOMA, WILLIAM PHILIP RODGERS, JOHN RODGERS; DELIA MARIA SANCHEZ, and DOES 1 through 100	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges injuries due to CityBus colliding with another vehicle	First Amended Complaint filed on 3/11/2024; City filed responsive pleading and cross-complaint on 5/07/2024.	According to Proof			
24CV01390	MEUYINA SAETUERN and ZACHARIAH SAEPHANH (minor) v. CITY OF SANTA ROSA, et al.	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff's mother alleges tree limb fell on her son causing severe bodily injuries; Responsive pleading due on or before 6/10/24.	Complaint served on City on 5/10/2024.	According to Proof			
24CV01397	MARIA GONZALEZ v. CITY OF SANTA ROSA, SARAH ELAINE SOLOMON and DOES 1 through 25	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges a dangerous condition of public property resulted in injuries	Complaint filed 02/22/2024; Answer to Complaint filed 04/24/2024; Initial Case Management Conference scheduled for 07/16/2024.	According to Proof			
24CV01412	Justin Chase v. City of Santa Rosa and DOES 1 to 25	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges bodily injuries due to fall into pothole;	Complaint served on 4/8/2024; parties have met and conferred concerning sufficiency of the pleadings and Plaintiff will be filing a First Amended Complaint; Case Management Conference set for 07/23/2024; Written discovery has commenced.	According to Proof			
24CV01891	CSAA INSURANCE EXCHANGE v. CITY OF SANTA ROSA, ELI ADAM HELD, DOES 1 to 10	Active - Pleadings	Personal Injury/Dangerous Condition	Insurance company alleges fire department made an illegal turn into the insured's lane causing vehicle damages and bodily injuries	Complaint served on 4/15/2024; Answer filed on behalf of the City of Santa Rosa and Eli Adam was filed on 5/15/2024; discovery has commenced.	According to Proof			
24cv02174	ALEXIS CHILDRESS v. CITY OF SANTA ROSA, KEVIN JENROY RYAN, MV PUBLIC TRANSPORTATION, INC., DOES 1 to 100	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges a paratransit driver failed to secure wheelchair causing claimant to flip and injure themself	Complaint served on City on 5/16/2024.	According to Proof			
24CV02175	Wallace Francis v. City of Santa Rosa, County of Sonoma and Does 1 to 20	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges he was injured when he hit a pothole while riding his bicycle in the roadway	Complaint served on City on 5/3/2024.	According to Proof			
24CV02473	MERLA ANDERS v. STERLING ADAPTIVES LLC; CITY OF SANTA ROSA; and DOES 1 to 30	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges they tripped and fell on raised sidewalk causing injuries.	Complaint served on City on 5/23/2024.	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 - Set for Trial	Personal Injury/Dangerous Condition	Claimant alleges they suffered injuries when struck by a vehicle after an off duty SRPD officer instructed them 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; deposition of plaintiffs set for 6/11/2024; co-defendants insurance carrier has filed a complaint for declaratory relief; trial continued to 03/25/2025.	According to Proof			
SCV-271238	Cathleen Cisneros v. City of Santa Rosa, Linda Corwin, and DOES 1 to 10	Settled	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they hit a low hanging tree branch hanging over sidewalk	Case resolved at mediation on 2/13/2024; global settlement of \$30,000 reached with \$5,000 contribution by City; Notice of Conditional Settlement filed with Court; settlement pending with dismissal to be filed by 6/30/2024.	According to Proof			
SCV-271462	Joyce Reynolds v. 4th Street Medical Building LLC, and DOES 1-100	Active - Discovery	Personal Injury/Dangerous Condition	Plaintiff alleges trip and fall on a sidewalk resulted in bodily injuries	Cross-complaint property owner filed a cross-complaint against City on 9/20/2023; City filed Answer to Cross-Complaint and City's Cross-complaint against property owner for indemnity and contribution on 2/6/2024; discovery is underway.	According to Proof			
SCV-272128	Bruce Baxter v. City of Santa Rosa, Steven R. Savage, and DOES 1 to 100	Settled	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they tripped and fell due to uneven sidewalk	Global settlement of \$175,000 with all defendants reached at mediation on 1/16/2024; City of Santa Rosa's share is \$87,500 for release of all claims; dismissals pending.	According to Proof		1/30/2024	\$ 87,500.00
SCV-272343	Kim Taylor v. City of Santa Rosa and Does 1-10	Active - Set for Trial	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they tripped and fell due to uneven sidewalk	Complaint served on City on 02/08/2023; continued discovery underway; Trial was continued on property owner defendant's motion to 10/11/2024; Plaintiff's deposition was completed on 4/25/2024.	According to Proof			
SCV-272486	Eveline Jones v. City of Santa Rosa; and DOES 1 to 50	Active - Set for Trial	Personal Injury/Dangerous Condition	Plaintiff alleges she suffered injuries when they tripped and fell due to uneven sidewalk	Complaint served on City 02/10/2023; continued discovery underway; Trial set for 11/08/2024.	According to Proof			
SCV-272709	Steven Hodges v. City of Santa Rosa, County of Sonoma, Lucinda R. Helfner, and Does 1 to 25	Active - Pleadings	Personal Injury/Dangerous Condition	Plaintiff alleges they suffered injuries when they tripped and fell due to dangerous condition of sidewalk	Complaint served on defendant City of Santa Rosa on 9/28/2023; the Court filed an Order and Notice of Dismissal on 9/26/2023 dismissing the entire action without prejudice for failure to prosecute; dismissal was vacated on 11/02/2023; City filed Answer and initial discovery on 4/18/2024.	According to Proof	9/26/2023		
SCV-273290	Josefina Moreno v. City of Santa Rosa, Giovanni Recty Corona, and Does 1 through 50	Settled	Personal Injury/Dangerous Condition	Claimant alleges City employee negligently operated their City operated bus causing collision with claimant's vehicle, resulting in injuries.	Complaint served on City on 6/2/2023; discovery underway; Trial set for 6/21/2024; a tentative settlement has been reached and we are awaiting an executed Settlement Agreement and Dismissal of action; notice of Conditional Settlement has been filed with the court.	According to Proof		5	15,000.00
SCV-273819	Adam Moeller v. City of Santa Rosa, Joseph Vizcarra, and Does 1-10	Active - Set for Trial	Personal Injury/Dangerous Condition	Plaintiff alleges a City employee negligently operated a City bus causing collision with Plaintiff's vehicle, resulting in injuries and property damage to Plaintiff.	Complaint served on 08/09/2023; initial written discovery has been completed; Trial has been set for 10/25/2024.	According to Proof			
POLICE ACTION									
3:19-cv-02450-VC	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	Appellant entered a no contest plea in the criminal case, however, she has filed an appeal; the matter remains stayed; Appellant's post-conviction appeal was denied; Rule 12(b)(6) motion taken under submission.	According to Proof			
3:22-cv-05270	ANGELINA LOPEZ, individually and as co-successor-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 CROSSIE, 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 - Set for Trial	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; discovery is underway; the settlement conference scheduled for 6/13/2023 proved unsuccessful; Trial scheduled for 11/04/2024, although both sides will be filing Rule 56 dispositive motions to be heard on 07/25/2024.	According to Proof			

3:23-cv-02478-JSC	John Paul Johnson v. CITY OF SANTA ROSA, OFFICERS CODY SOUSA, O'NEILL, DELEON, JONES AND DOES 1-50	Active - Set for Trial	Police Action	Plaintiff alleges damages related to excessive force, battery, Bane Act Violation and Negligence.	Complaint served on the City 09/01/2023; Plaintiff filed a First Amended Complaint; City and those individual officers served have answered; depositions of Plaintiff and the individual officer defendants have been completed; Trial set for 01/06/2025; Case has been referred to court sponsored ADR, to be scheduled.	According to Proof	
3:23-cv-02730-SK	Christine Jones Pro Se v. County of Sonoma, Sonoma County Public Defender's Office (Fabiola Manai in her official capacity), City of Santa Rosa, Santa Rosa Police Department (Sergeant Matthew North in his official capacity)	Judgment	Police Action	Plaintiff alleges obstruction of justice, denial of due process	Complaint was filed on 5/30/2023 by pro se plaintiff; City Defendants filed a Motion to Dismiss and hearing set for 8/21/2023; Judge vacated the hearing on motion; Motion to Dismiss case granted to City & County Defendants and Judgment entered on 3/30/2024.	According to Proof	
3:24-cv-01718-AGT	Esabela Maria Gatlin and Ashley Anurag Singh v. City of Santa Rosa and Does 1 through 10	Active - Pleadings	Police Action	Plaintiffs allege they were falsely arrested by SRPD SWAT Team	Plaintiffs filed their section 1983 Complaint on 03/19/2024; City will file a responsive pleading by 06/03/2024.	According to Proof	
4:20-cv-01323	Herman Tamrat v. The Santa Rosa Police Department; Robert L. Schreeder, Chief of Santa Rosa Police Department; Officer Erick Rhoades (#352); Officer Patrick Albini; sued in their individual and official capacities	Judgment	Police Action	Plaintiff alleges violation of federal civil rights during arrest.	Federal district court granted the City's Motion for Summary Judgment and ordered the case dismissed with prejudice and closed on 01/21/2022; Plaintiff filed an Appeal which was dismissed by Order of the Appellate court for lack of prosecution on 02/16/2023; on 12/19/2023 the Appellate court granted Appellant Tamrat's Motion to Reinstate his appeal; opening brief was due 04/15/2024 with City's response due on 5/15/2024. Plaintiff has failed to file his opening brief; Appellate court issued Order Dismissing Appeal for Failure to Prosecute on 5/24/2024 which will become effective on 6/14/2024.	According to Proof 1/21/2022	
C 22-05196	James Earl Lindsey v. Santa Rosa Police Officer Jason Jucutan	Stayed	Police Action	Violation of civil rights; false arrest	Officer Jucutan's Answer to complaint filed on 11/10/2022; Motion for More Definitive Statement filed by Officer Jucutan on 12/15/2022; case is stayed pending resolution of the plaintiff's criminal case; Court ordered parties to file status report every 6 months and to notify court within 30 days of resolution of criminal charges; The underlying superior court criminal matter remains pending.	Unknown	
SCV-273745	Hiramu El-Kenyatta Bey v. Carla Rodriguez, Troye E. Shaffer, Mathew Hobson, Mathew Henning, Paul James Lozada, Jill Ravitch, Barbara Nanne, Christopher Honigsberg, Dana Beermink-Simonds, SRPD Garrison Swartz, Amanda Bisagno, WELLPATH Denise Garcia, WELLPATH C. Garcia, WELLPATH Apple By, and DOES 1 to	Active - Pleadings	Police Action	Breach of contract, fraud, negligence, intentional tort	Complaint was served on City on 4/11/2024; City's responsive pleading - Motion to Quash Service of Summons was filed on 5/13/2024.	According to Proof	
WRIT OF MANDATE							
SCV-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 - 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	Parties have stipulated to address the sole remaining cause of action through dispositive motion; City's Motion for Summary Judgment granted by tentative ruling on 04/30/2024.	According to Proof	
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	Active	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.	Complaint served on defendant City of Santa Rosa and Santa Rosa City Council on 3/02/2023; Hearing on Writ of Mandate was 5/24/2024. On 5/31/24, the Court denied writ and petitioner's motion for stay. On 6/6/24 the Court granted in part petitioner's ex parte application for a stay, temporarily staying enforcement of the Court's 5/31/24 ruling denying the writ until August 9, 2024.	According to Proof	