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ACLU OF SOUTHERN CALIFORNIA and ERIC

14 PREVEN

D82 Luis A. Lavin

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 FOR THE COUNTY OF LOS ANGELES

17
18 ACLU OF SOUTHERN CALIFORNIA, a non-)
19 profit corporation, and ERIC PREVEN, an)
20 individual,)

21 Petitioners,

22 vs.

23 COUNTY OF LOS ANGELES BOARD OF)
24 SUPERVISORS and THE OFFICE OF)
25 COUNTY COUNSEL,)

26 Defendants.

Case No.

BS 145758

27 VERIFIED PETITION FOR WRIT OF)
28 MANDATE DIRECTED TO THE COUNTY)
OF LOS ANGELES BOARD OF)
SUPERVISORS AND THE OFFICE OF)
COUNTY COUNSEL ORDERING)
COMPLIANCE WITH THE CALIFORNIA)
PUBLIC RECORDS ACT)

[Gov't Code §§ 6250 et seq.]

CONFIRMED COPY
ORIGINAL FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

OCT 31 2013

John A. Clarke, Executive Officer/Clerk

BY Christina G. Givens Deputy
Christina Givens

COPY

1 ACLU of Southern California (the "ACLU") and Eric Preven petition this Court for a writ
2 of mandate directed to the County of Los Angeles Board of Supervisors (the "Board of
3 Supervisors") and the Office of County Counsel ("County Counsel") (collectively, the "County"),
4 commanding the County to comply with the California Public Records Act (CPRA). The ACLU
5 and Mr. Preven bring this petition under sections 1085 *et seq.* of the Code of Civil Procedure and
6 sections 6250 *et seq.* of the Government Code. By this verified Petition, the ACLU and Mr. Preven
7 allege:

8 INTRODUCTION AND SUMMARY OF ALLEGATIONS

9 1. Over the years, the Los Angeles County jail system has been plagued by many
10 problems, including overcrowding, substandard jail conditions, mistreatment of inmates with
11 mental illness, and allegations of the widespread use of excessive force against inmates.

12 2. In direct response to a report by the ACLU in September 2011 documenting a
13 pattern of excessive and unnecessary force in the jails and a Los Angeles Times article that same
14 month reporting that the Federal Bureau of Investigation was conducting a criminal investigation
15 into deputy abuse of inmates in the jails, the Board of Supervisors formed the Citizens
16 Commission for Jail Violence (the "Commission") in October 2011 with a mandate "to conduct a
17 review of the nature, depth and cause of the problem of inappropriate deputy use of force in the
18 jails, and to recommend corrective action as necessary."

19 3. The Commission, which consisted of numerous individuals, including a former
20 California Supreme Court Justice and several former federal court judges, was also tasked with
21 "holding this Board and the Sheriff accountable for their speedy and effective implementation" of
22 necessary reform. After a thorough investigation, the Commission presented its findings to the
23 Board on September 28, 2012 in its Report of the Citizens' Commission on Jail Violence (the
24 "Report").

25 4. According to the Report, "[t]here has been a persistent pattern of unreasonable force
26 in the Los Angeles County jails that dates back many years." In addition, the Report demonstrates
27 that the culture of violence in the Los Angeles County jails was not based on rogue deputies;
28 instead, there was (and continues to be) a policy of using force as punishment.

1 5. The Report makes plain that “the Commission is not charged with investigating
2 force incidents identified by the ACLU or others to determine whether deputies used unnecessary
3 or excessive force in specific cases.” Indeed, as the Commission acknowledges, “that
4 responsibility lies with the Department itself and with investigatory bodies, including federal
5 authorities and the Los Angeles County District Attorney.”

6 6. Current and former jail inmates have brought numerous lawsuits against the County
7 and others for alleged excessive force. The County has retained a number of law firms to defend
8 against these suits. It is believed that the selected law firms may have engaged in “scorched earth”
9 litigation tactics and dragged out cases even when a settlement was in the best interest of the
10 County or when a settlement was likely. Given the issues raised by the allegations in these
11 complaints and the use of taxpayer dollars to pay for the alleged use of scorched earth litigation
12 tactics, the public has a right and interest in ensuring the transparent and efficient use of taxpayer
13 money.

14 7. In light of the above, the ACLU served a CPRA request on the County to obtain
15 certain documents from the County to determine what work was being done of the lawsuits, the
16 scope of that work, the quality of the representation, and the efficiency of the work.

17 8. The ACLU also sought to review contracts between the County and certain
18 individuals hired to consult on or oversee implementation of certain Jail Commission
19 recommendations. Given the persistent problems in the Los Angeles County jail system and the
20 use of taxpayer money to compensate these individuals, the public has an interest in understanding
21 the scope of the contracts, the amount of compensation provided to them, and the role that these
22 individuals were retained to serve. Only by having access to these contracts can the public properly
23 evaluate how the Jail Commission recommendations are being implemented.

24 9. Mr. Preven has submitted similar CPRA requests to the County seeking information
25 on both the work done by private law firm representing the County in cases involving the Sheriff’s
26 Department and contracts between the County and certain individuals hired to consult on or oversee
27 implementation of certain Jail Commission recommendations.
28

10. Despite the public's strong interest in the information sought, the County has disregarded its legal obligations and restricted public access to the information sought by the ACLU and Mr. Preven. Given the ACLU and Mr. Preven's work in this field, and its commitment to serve the public, it is within the class of persons beneficially interested in the County's faithful performance of its legal duties under the CPRA.

THE PARTIES

11. Petitioner ACLU is a non-profit public interest organization with a longstanding goal of advancing civil rights, including inmates' rights, and open-government rights. The ACLU is a member of the public within the scope of the CPRA and is beneficially interested in the outcome of these proceedings. *See* Cal. Gov't Code §§ 6252(b), (c). It has a clear, present, and substantial right to the relief sought herein and no plain, speedy, and adequate remedy at law other than that sought here.

12. Petitioner Eric Preven is a resident of the third supervisorial district of the County of Los Angeles and a county taxpayer. He regularly attends meetings of the Board of Supervisors and makes CPRA requests in an effort to understand and shed light on County government, including the operation of the Sheriff's Department.

13. Respondent Board of Supervisors is a government agency duly organized and operating in Los Angeles County, California. As such, the Board of Supervisors is a local agency within the scope of the CPRA, and may be compelled to release improperly withheld public records. *See* Cal. Gov't Code § 6252(a).

14. Respondent County Counsel is a government agency duly organized and operating in Los Angeles County, California. As such, County Counsel is a local agency within the scope of the CPRA, and may be compelled to release improperly withheld public records. *See* Cal. Gov't Code § 6252(a).

15. The County is in possession of the records sought by this Petition.

JURISDICTION AND VENUE

16. This Court has jurisdiction under sections 6258 and 6259 of the California Government Code, sections 1060 and 1085 of the Code of Civil Procedure, and Article VI section 10 of the California Constitution.

17. Venue is proper in this Court. First, the County has an office located in the City and County of Los Angeles. In addition, the records in question, or some portion of them, are situated in the County of Los Angeles, meaning that suit may be brought in this county. *See* Cal. Gov't Code § 6259.

FACTUAL BACKGROUND

18. On July 1, 2013, the ACLU, by and through its counsel, sent a CPRA request to Patrick Ogawa, the Board of Supervisors Chief Deputy Executive Officer, and Dawyn Harrison, Principal Deputy County Counsel. The request asked for three categories of documents:

(1) Invoices that specify the amounts that the County has been billed by any law firm in connection with nine different cases brought by inmates involving alleged jail violence;

(2) Documents evidencing any service agreements between the County and Richard E. Drooyan, Joseph Brann, and Joseph McGrath relating to their service in consulting or working on implementing the Jail Commission's recommendations; and

(3) Correspondence with all the firms that were considered to recruit for the position of Inspector General for oversight and monitoring of the Sheriff's Department.

19. In the ACLU's CPRA request, the ACLU provided a detailed analysis as to why there are no applicable exemptions to production of the requested information. A true and correct copy of the CPRA request for these records is attached as **Exhibit A** to this Petition.

20. On July 12, 2013, John F. Krattli, County Counsel, responded to the ACLU's CPRA request and noted that "the time to respond to [the] request must be extended by an additional fourteen (14) days due to the existence of unusual circumstances." A true and correct copy of Mr. Krattli's response is attached as **Exhibit B** to this Petition.

1 21. On July 26, 2013, Mr. Krattli sent a letter in response to the ACLU's CPRA request.
2 As to the first category of documents, where documents related to matters that were no longer
3 pending (Request Nos. 2, 6 and 7), Mr. Krattli noted that his office was "able to identify certain
4 non-exempt documents that are responsive to the requests." Where documents related to matters
5 that were still pending (Request Nos. 1, 3, 4, 5, 8 and 9), however, Mr. Krattli noted that "the
6 identified records are exempt from disclosure." Mr. Krattli's letter indicated that exemptions were
7 based on sections 6254(k) and 6255(a) of the Government Code. A true and correct copy of Mr.
8 Krattli's July 26, 2013 letter is attached as **Exhibit C** to this Petition.

9 22. As to the second category of documents (Request Nos. 10-12), Mr. Krattli's July 26,
10 2013 letter indicated that the "legal service agreements are exempt from disclosure pursuant to
11 Government Code section 6254(k) and the attorney-client and attorney-work product privileges
12 pursuant to Evidence Code 952, 954, and Code of Civil Procedure section 2018, *et seq.*, and are
13 confidential communications pursuant to Business and Professions Code sections 6148 and 6149."

14 23. As to the third category of documents (Request No. 13), Mr. Krattli indicated that
15 "there are no records of such correspondence in possession of the Executive Office of the Los
16 Angeles County Board of Supervisors or the Office of County Counsel." The ACLU does not
17 challenge this response and is not seeking a writ of mandate as to this category.

18 24. On September 9, 2013, Mr. Krattli sent a letter enclosing documents responsive to
19 ACLU's Request Nos. 2, 6, and 7. As he indicated in his July 26, 2013 letter, Mr. Krattli did not
20 include documents responsive to any other requests. A true and correct copy of Mr. Krattli's
21 September 9, 2013 letter is attached as **Exhibit D** to this Petition.

22 25. Mr. Preven made similar CPRA requests in e-mails to Paul Kim at the County
23 Counsel's office dated March 11, 2013. True and correct copies of these e-mails are attached as
24 **Exhibit E** to this Petition.

25 26. In a series of letters dated March 26 and March 29, 2013, the County denied all Mr.
26 Preven's requests claiming that any responsive documents were exempt from disclosure under
27 Government Code sections 6254(b), 6554(k), 6255(a) and Business and Professions Code section
28

1 6149, as well as attorney-client privilege, work product, and the official information privilege.

2 True and correct copies of these letters are attached as **Exhibit F** to this Petition.

3 27. Petitioners allege on information and belief that the County will continue to refuse to
4 permit members of the public, including the ACLU and Mr. Preven, to inspect or obtain copies of
5 all of the requested public records in violation of the CPRA.

6 28. Petitioners allege on information and belief that the information they seek from the
7 County is maintained in Los Angeles County.

8 29. Among other provisions of the CPRA, the County has violated section 6253 of the
9 Government Code, which provides, in pertinent part, that “[e]xcept with respect to public records
10 exempt from disclosure by express provisions of law, each state or local agency, upon a request for
11 a copy of records that reasonably describes an identifiable record or records, shall make the records
12 promptly available to any person[.]”

13 30. Sections 6259(a) and 6259 (b) of the Government Code authorize the Court to
14 compel the County to release the requested documents.

15 THEREFORE, the ACLU and Mr. Preven respectfully request that:

16 1. This Court issue a peremptory writ of mandate, without a hearing or further notice,
17 immediately directing the County to disclose to the ACLU and Mr. Preven the requested records or,
18 in the alternative, an order to show cause issue why these public records should not be disclosed;

19 2. The Court set times for responsive pleadings and for hearings in these proceedings,
20 if necessary, “with the object of securing a decision as to these matters at the earliest possible
21 time,” as provided in section 6258 of the Government Code.

22 3. The Court enter an order awarding the ACLU and Mr. Preven their reasonable
23 attorneys’ fees and costs incurred in bringing this action, as provided in section 6259 of the
24 Government Code; and

25 4. The Court award such further relief as is just and proper.
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1 Dated: October 31, 2013

DAVIS WRIGHT TREMAINE LLP
JENNIFER L. BROCKETT
NICOLAS A. JAMPOL
GIANCARLO UREY

2
3
4
5 By: 

Jennifer L. Brockett

6
7 Attorneys for Petitioner
8 ACLU OF SOUTHERN CALIFORNIA

9 Dated: October 31, 2013

10 ACLU FOUNDATION OF SOUTHERN CALIFORNIA
11 PETER J. ELIASBERG

12
13 By: _____


Peter J. Eliasberg

14 Attorney for Petitioners
15 ACLU OF SOUTHERN CALIFORNIA and
16 ERIC PREVEN
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Dated: October 31, 2013

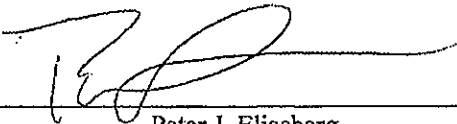
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ACLU OF SOUTHERN CALIFORNIA

Dated: October 31, 2013

ACLU FOUNDATION OF SOUTHERN CALIFORNIA
PETER J. ELIASBERG

By: 
Peter J. Eliasberg

Attorney for Petitioners
ACLU OF SOUTHERN CALIFORNIA and
ERIC PREVEN

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VERIFICATION

I, James Gilliam, declare:

1. I am the Deputy Executive Director for the ACLU of Southern California, one of the Petitioners in this action, and I am authorized to make this verification on Petitioner's behalf.

2. I have read the foregoing VERIFIED PETITION FOR WRIT OF MANDATE DIRECTED TO THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS AND THE OFFICE OF COUNTY COUNSEL ORDERING COMPLIANCE WITH THE CALIFORNIA PUBLIC RECORDS ACT. The facts stated in the Petition are either true and correct of my own personal knowledge, or I am informed and believe that such facts are true and correct, and on that basis I allege them to be true and correct.

This verification was executed on October 28, 2013, in Los Angeles, California. I declare under penalty of perjury that the foregoing is true and correct.


JAMES GILLIAM

VERIFICATION

I, Eric Preven, declare:

I have read the foregoing VERIFIED PETITION FOR WRIT OF MANDATE DIRECTED TO THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS AND THE OFFICE OF COUNTY COUNSEL, ORDERING COMPLIANCE WITH THE CALIFORNIA PUBLIC RECORDS ACT. The facts stated in the Petition are either true and correct of my own personal knowledge, or I am informed and believe that such facts are true and correct, and on that basis I allege them to be true and correct.

This verification was executed on October 28, 2013, in Los Angeles, California. I declare under penalty of perjury that the foregoing is true and correct.


Eric Preven

EXHIBIT A



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Jennifer L. Brockett
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jenniferbrockett@dwt.com

July 1, 2013

VIA E-MAIL AND U.S. MAIL

Patrick Ogawa
Chief Deputy Executive Officer
County of Los Angeles Board of Supervisors
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pogawa@bos.lacounty.gov

Dawyn Harrison
Principal Deputy County Counsel
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Los Angeles, CA 90012
reply@counsel.lacounty.gov

Re: Public Records Request on Behalf of the ACLU of Southern California

Dear Mr. Ogawa and Ms. Harrison:

We represent the ACLU of Southern California, and on its behalf I am writing to respectfully request copies of the documents identified below pursuant to the California Public Records Act, Government Code §§ 6250 *et seq.* This request is directed to the County of Los Angeles Board of Supervisors and the Office of County Counsel (collectively, the "County"), and reasonably describes identifiable records or information contained in them. The County is required to produce all responsive public records for which it is not asserting exemptions. *See* Cal. Gov't Code § 6253(b) (the public agency "shall make the records promptly available" to those who have requested them). We will promptly pay all fees covering the costs of copying or statutory fees if applicable.

As explained below, there are no valid exemptions that would allow the County to refuse disclosure of these important documents. We should note that if the County refuses to produce these documents, we will seek a court order requiring such disclosure. We will also seek attorneys' fees pursuant to Gov't Code § 6259(d).

Documents Requested

1. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Rodriguez v. County of Los Angeles*, Central District of California Case No. 2:10-cv-06342-CBM-AJW, including all appeals.

2. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Holguin v. County of Los Angeles*, Central District of California Case No. 2:10-cv-08011-GW-PLA, including all appeals.

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3. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Carrillo v. County of Los Angeles*, Central District of California Case No. 2:11-cv-10310-SVW-AGR, including all appeals.

4. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Johnson v. L.A. County Sheriff's Department*, Central District of California Case No. 2:08-cv-03515-DDP-JTL, including all appeals.

5. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Nee v. County of Los Angeles*, Central District of California Case No. 2:11-cv-08899-DDP-JCG, including all appeals.

6. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Hoxey v. County of Los Angeles*, Central District of California Case No. 2:09-cv-01372-DSF-PLA, including all appeals.

7. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Dupree v. County of Los Angeles*, Central District of California Case No. 2:09-cv-01110-AHM-SS, including all appeals.

8. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Parker v. County of Los Angeles*, Central District of California Case No. 2:12-cv-00064-SVW-FFM, including all appeals.

9. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Starr v. Baca*, Central District of California Case No. 2:08-cv-00508-GW-SH, including all appeals.

10. Documents evidencing any service agreements between the County of Los Angeles and Richard E. Drooyan relating to his service as Implementation Monitor.

11. Documents evidencing any service agreements between the County of Los Angeles and Joseph Brann relating to his service as a consultant for or retained by the Board of Supervisors.

12. Documents evidencing any service agreements between the County of Los Angeles and Joseph McGrath relating to his service as a consultant for or retained by the Board of Supervisors.

13. Correspondence with all the firms that were considered to recruit for the position of Inspector General for oversight and monitoring of the Sheriff's Department.

There Are No Applicable Exemptions

None of the exemptions available under the California Public Records Act (CPRA) protects the disclosure of documents requested here. As a preliminary matter, courts have repeatedly held that the CPRA is to be construed broadly in favor of disclosure. *See, e.g., Marken v. Santa Monica-Malibu School District*, 202 Cal. App. 4th 1250, 1262 (2012). Conversely, exemptions under the Act are "to be narrowly construed, and the government agency opposing disclosure bears the burden of proving that one or more apply in a particular case." *County of Los Angeles v. Superior Court (Axelrod)*, 82 Cal. App. 4th 819, 815 (2000) (citation omitted). As demonstrated below, the County could not satisfy its burden to prove the applicability of any exemption with respect to each of the categories of requested documents and should, therefore, produce all responsive documents.

Law Firm Invoices: These requests seek all invoices that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the various cases identified above. Importantly, we are seeking the amounts that the County has been billed in connection with these cases. To the extent that the invoices contain information protected by the attorney-client privilege or attorney work product doctrine, that information may be redacted and the remainder of the documents made available. *See* Cal. Gov't Code § 6253(a) ("Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law."). And "where nonexempt materials are not inextricably intertwined by exempt materials and are otherwise reasonably segregable therefrom, segregation is *required* to serve the objective of the PRA to make public records available for public inspection and copying unless a particular statute makes them exempt." *Northern Cal. Police Practices Project v. Craig*, 90 Cal. App. 3d 116, 124 (1979) (emphasis added).

Invoices for legal services also are not exempt from disclosure under the pending litigation exemption in Gov't Code § 6254(b). In fact, the California Court of Appeal has squarely held that this exemption does not protect attorney invoices from disclosure because they are not documents prepared for use in litigation (even though such documents *relate* to pending litigation and would not exist but for pending litigation). *See County of Los Angeles v. Superior Court (Anderson-Barker)*, 211 Cal. App. 4th 57 (2012), *petition for review denied*.

Such invoices also are not exempt under Business & Professions Code § 6149, which provides that a written fee *contract* shall be deemed a confidential communication. We are not

seeking the engagement letter or fee contract between the County and these various law firms. Rather, we are seeking invoices and information about the amounts paid for legal representation.

Lastly, Government Code § 6255(a) does not exempt disclosure of these documents because the public interest served by not disclosing the records does not “clearly outweigh” the public interest served by disclosure. The public has every right to know how much money the County pays its legal counsel to represent its interests in various cases. The California Court of Appeal recently agreed, denying the County’s petition for writ of mandate with respect to the trial court’s order requiring it to disclose legal invoices and time records. *Anderson-Barker*, 211 Cal. App. 4th 57.

Drooyan Service Agreement: This request seeks any service agreements between the County and Richard Drooyan relating to his service as Implementation Monitor. The public is entitled to know the scope of Mr. Drooyan’s responsibilities, the amount of money he is being paid to perform these responsibilities, and the conditions of his engagement. While it is our understanding that Mr. Drooyan served as General Counsel to the Citizens’ Commission on Jail Violence, we are not seeking his service agreement for that position. Rather, following the final report of the Citizens’ Commission in September 2012, the Board of Supervisors appointed Mr. Drooyan to act as Implementation Monitor regarding the recommendations made by the Citizens’ Commission.

We seek Mr. Drooyan’s service agreement to serve in this capacity, which is a non-legal position that is intended to monitor and report on changes to the County’s jail system. Accordingly, Government Code § 6254(k) would not exempt disclosure of these documents pursuant to any privilege. B&P Code § 6149 also would not apply as the service agreement is not a written fee contract for legal services. See *Dietz v. Meisenheimer & Herron*, 177 Cal. App. 4th 771, 786 (2009) (“Among those communications subject to the duty of confidentiality and the attorney-client privilege is a written fee contract between an attorney and a client.”) (citing Cal. B&P Code § 1649). Lastly, the official information privilege under Evidence Code § 1040 would not apply as Mr. Drooyan’s service agreement is not “information acquired in confidence by a public employee in the course of his or her duty.” Rather, it is an agreement with a private citizen to serve the County in a particular role; the terms of the agreement were not acquired in confidence in the course of a public employee’s duty.

Government Code § 6255(a) also does not exempt disclosure of these documents because the public interest served by not disclosing the records does not “clearly outweigh” the public interest served by disclosure. No public interest would be served by keeping the terms and scope of Mr. Drooyan’s role as Implementation Monitor secret, and certainly no public interest that “clearly outweighs” the strong public interest in government openness and disclosure.

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Brann and McGrath Service Agreements: These requests seek any service agreements between the County and Joseph Brann and/or Joseph McGrath relating to their service as consultants for or retained by the County. The public is entitled to know the scope of these individuals' responsibilities, the amount of money they are being paid to perform these responsibilities, and the conditions of their engagement. It is our understanding that Mr. Brann and Mr. McGrath are consultants in the areas of public safety and/or corrections, and are not attorneys. Accordingly, exemptions for attorney-client privileged information or attorney work product would not apply here.

No other privileges would apply either. The official information privilege under Evidence Code § 1040 would not apply since the requested documents are not "information acquired in confidence by a public employee in the course of his or her duty." The deliberative process privilege would not apply because the disclosure of the requested documents would not "expose an agency's decisionmaking process in such a way as to discourage candid discussion within the agency and thereby undermine the agency's ability to perform its functions." *Times Mirror Co. v. Superior Court*, 53 Cal. 3d 1325, 1342 (1991). Lastly, Mr. Brann and Mr. McGrath are not eligible for peace officer personnel privileges as they are not active peace officers and the information sought are not a part of their personnel records as defined by California Penal Code § 832.8.

The requested service agreements are also not exempt from disclosure under the pending litigation exemption in Gov't Code § 6254(b). This exemption protects only those documents that are "*specifically prepared for use in litigation.*" *Anderson-Barker*, 211 Cal. App. 4th at 64 (emphasis in original). There can be no claim that consulting agreements with these individuals were specifically prepared for use in litigation. Accordingly, this exemption is inapplicable here.

Correspondence with Recruiters: This request seeks correspondence with firms that were considered to recruit for the position of Inspector General for oversight and monitoring of the Sheriff's Department. As a preliminary matter, correspondence sent to third parties, especially non-attorney third parties, certainly are not protected by the attorney-client privilege or attorney work product doctrine.

Other privileges likewise are not applicable. The official information privilege under Evidence Code § 1040 would not apply as correspondence with recruiters is not "information acquired in confidence by a public employee in the course of his or her duty." Rather, it is correspondence with third parties regarding the position of Inspector General for oversight of the Sheriff's Department. The deliberative process privilege also would not apply because the disclosure of the requested documents would not "expose an agency's decisionmaking process in such a way as to discourage candid discussion within the agency and thereby undermine the


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agency's ability to perform its functions." *Times Mirror Co. v. Superior Court*, 53 Cal. 3d 1325, 1342 (1991).

Lastly, Government Code § 6255(a) also does not exempt disclosure of these documents because the public interest served by not disclosing the records does not "clearly outweigh" the public interest served by disclosure. No public interest would be served by keeping the correspondence with third-party recruiters secret considering the importance of the position that the recruiters were trying to fill and the Sheriff's Department in general.

If you have any questions or wish to discuss these requests further, please do not hesitate to contact me. We look forward to hearing from you.

Sincerely,



Jennifer L. Brockett
Davis Wright Tremaine LLP

cc: Peter Eliasberg

EXHIBIT B



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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Ms. Jennifer L. Brockett
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Los Angeles, California 90017

Re: Public Records Act Requests Dated July 1, 2013

Dear Ms. Brockett:

This letter is in response to your public records requests, received on July 2, 2013, whereby you requested the following information:

1. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Rodriguez v. County of Los Angeles*, Central District of California Case No. 2:10-cv-06342-CBM-AJW, including all appeals
2. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Holguin v. County of Los Angeles*, Central District of California Case No. 2:10-cv-08011-GW-PLA, including all appeals.
3. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Carrillo v. County of Los Angeles*, Central District of California Case No. 2:11-cv-10310-SVW-AGR, including all appeals.
4. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Johnson v. Los Angeles County Sheriff's Department*, Central District of California Case No. 2:08-cv-03515-DDP-JTL, including all appeals.

5. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Nee v. County of Los Angeles*, Central District of California Case No. 2:11-cv-08899-DDP-JCG including all appeals.
6. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Hoxey v. County of Los Angeles*, Central District of California Case No. 2:09-cv-01372-DSF-PLA, including all appeals.
7. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Dupree v. County of Los Angeles*, Central District of California Case No. 2:09-cv-01110-AHM-SS, including all appeals.
8. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Parker v. County of Los Angeles*, Central District of California Case No. 2:12-cv-00064-SVW-FFM, including all appeals.
9. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Starr v. Baca*, Central District of California Case No. 2:08-cv-00508-GW-SH, including all appeals.
10. Documents evidencing any service agreements between the County of Los Angeles and Richard E. Drooyan relating to his service as Implementation Monitor.
11. Documents evidencing any service agreements between the County of Los Angeles and Joseph Brann relating to his service as a consultant for or retained by the Board of Supervisors.
12. Documents evidencing any service agreements between the County of Los Angeles and Joseph McGrath relating to his service as a consultant for or retained by the Board of Supervisors.
13. Correspondence with all the firms that were considered to recruit for the position of Inspector General for oversight and monitoring of the Sheriff's Department.

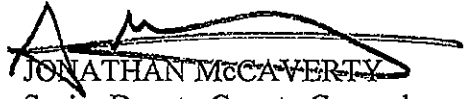
Ms. Jennifer L. Brockett
July 12, 2013
Page 3

Please be advised that pursuant to Government Code section 6253, subdivision (c), the time to respond to your request must be extended by an additional fourteen (14) days due to the existence of unusual circumstances. The unusual circumstances include the need to search for, collect, and appropriately review potential responsive records. The County estimates that it will be able to provide you with a further response by July 26, 2013.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By


~~JONATHAN McCAVERTY~~
Senior Deputy County Counsel
Law Enforcement Services Division

JM:cn

EXHIBIT C



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
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JOHN F. KRATTLI
County Counsel

July 26, 2013

Ms. Jennifer L. Brockett
Davis Wright Tremaine LLP
865 South Figueroa Street, Suite 2400
Los Angeles, California 90017

Re: Public Records Act Request Dated July 1, 2013

Dear Ms. Brockett:

This letter is in response to your public records request, directed to the Executive Office of the Los Angeles County Board of Supervisors and the Office of County Counsel, received on July 2, 2013, whereby you requested the following information:

1. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Rodriguez v. County of Los Angeles*, Central District of California Case No. 2:10-cv-06342-CBM-AJW, including all appeals.
2. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Holguin v. County of Los Angeles*, Central District of California Case No. 2:10-cv-08011-GW-PLA, including all appeals.
3. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Carrillo v. County of Los Angeles*, Central District of California Case No. 2:11-cv-10310-SVW-AGR, including all appeals.
4. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Johnson v. L.A. County Sheriff's Department*, Central District of California Case No. 2:08-cv-03515-DDP-JTL, including all appeals.

5. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Nee v. County of Los Angeles*, Central District of California Case No. 2:11-cv-08899-DDP-JCG, including all appeals.
6. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Hoxey v. County of Los Angeles*, Central District of California Case No. 2:09-cv-01372-DSF-PLA, including all appeals.
7. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Dupree v. County of Los Angeles*, Central District of California Case No. 2:09-cv-01110-AHM-SS, including all appeals.
8. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Parker v. County of Los Angeles*, Central District of California Case No. 2:12-cv-00064-SVW-FFM, including all appeals.
9. All invoices to date that specify the amounts that the County of Los Angeles has been billed by any law firm in connection with the case *Starr v. Baca*, Central District of California Case No. 2:08-cv-00508-GW-SH, including all appeals.
10. Documents evidencing any service agreements between the County of Los Angeles and Richard E. Drooyan relating to his service as Implementation Monitor.
11. Documents evidencing any service agreements between the County of Los Angeles and Joseph Brann relating to his service as a consultant for or retained by the Board of Supervisors.
12. Documents evidencing any service agreements between the County of Los Angeles and Joseph McGrath relating to his service as a consultant for or retained by the Board of Supervisors.

Ms. Jennifer L. Brockett
July 26, 2013

Page 3

13. Correspondence with all the firms that were considered to recruit for the position of Inspector General for oversight and monitoring of the Sheriff's Department.

In our response dated July 12, 2013, you were advised that the time to respond needed to be extended for an additional fourteen (14) days, i.e., until July 26, 2013, due to the need to search for, collect, and appropriately review potentially responsive records. After reviewing our records, on behalf of the Executive Office of the Los Angeles County Board of Supervisors and the Office of County Counsel, we have determined that there are records that are responsive to your requests.

Initially, in response to your Second, Sixth and Seventh requests, as these matters are no longer pending, we have been able to identify certain non-exempt documents that are responsive to these requests. We are currently in the process of compiling the responsive information and redacting out protected attorney-client and attorney-work product information. We estimate that this process will be complete within 45 days and, at that time, will notify you of the copying costs associated with compiling these records.

Regarding your First, Third, Fourth, Fifth, Eighth and Ninth requests, after reviewing our records, we have determined that there are records that are responsive to your requests. In particular, the County has invoices from law firms representing the County in the pending matters identified in the above actions, and copies of checks. However, please be advised that the identified records are exempt from disclosure on the following bases.

The documents and information potentially responsive to these requests (in particular, the detailed description, timing, and amount of attorney work performed, which communicates to the client and discloses attorney strategy, tactics, thought processes and analysis) are exempt from disclosure pursuant to Government Code sections 6254(k) and 6255(a), because the public interest served by not disclosing the records at this time clearly outweighs the public interest served by disclosure of the records.

Regarding your Tenth, Eleventh and Twelfth requests, after reviewing our records, we have determined that there are records that are responsive to your requests. However, these legal services agreements are exempt from disclosure pursuant to Government Code section 6254(k) and the attorney-client and attorney-work product privileges pursuant to Evidence Code sections 952, 954, and Code of Civil Procedure section 2018, *et. seq.*, and are confidential communications pursuant to Business and Professions Code sections 6148 and 6149.


Ms. Jennifer L. Brockett
July 26, 2013
Page 4

Lastly, regarding your Thirteenth request, there are no records of such correspondence in possession of the Executive Office of the Los Angeles County Board of Supervisors or the Office of County Counsel.


If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By 
JONATHAN McCAVERTY
Senior Deputy County Counsel
Law Enforcement Services Division

APPROVED AND RELEASED:


RICHARD D. WEISS
Chief Deputy County Counsel

JM:cn

EXHIBIT D



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

JOHN F. KRATTLI
County Counsel

September 9, 2013

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(213) 626-2105
TDD
(213) 633-0901

Ms. Jennifer L. Brockett
Davis Wright Tremaine LLP
865 South Figueroa Street, Suite 2400
Los Angeles, California 90017

Re: Public Records Act Request Dated July 1, 2013

Dear Ms. Brockett:


As we indicated in our July 26, 2013 letter, responding to your July 1, 2013 public records act request, enclosed are responsive documents pertaining to your Second, Sixth and Seventh requests. All information protected by the attorney-client and attorney-work product privileges have been redacted. The documents may look different for each case because of a change in invoice billing systems.

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By


JONATHAN McCAVERTY
Senior Deputy County Counsel
Law Enforcement Services Division

JM:cn

Enclosures

EXHIBIT E

REDACTED

From:
Sent: Friday, May 24, 2013 5:32 PM
To: Peter Eliasberg
Subject: (1) CRD3 -- PRA 6250 et seq for Legal billings from Lawrence Beach Allen & Choi (LBAC) for four cases enumerated herein.

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Cc: esp3800; newstips <newstips@latimes.com>; rweiss <rweiss@counsel.lacounty.gov>;
constituent <constituent@auditor.lacounty.gov>
Sent: Mon, Mar 11, 2013 5:21 pm
Subject: CRD3 -- PRA 6250 et seq for Legal billings from Lawrence Beach Allen & Choi (LBAC) for four cases enumerated herein.

Please provide in accordance with the public record act PRA 6250 et seq, all invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in these four cases:

Rodriguez v. County of Los Angeles (LBAC), CV 10-6342
Holguin v. County of Los Angeles (LBAC), CV 10-8011
Gabriel M. Carrillo v. County of Los Angeles (LBAC), CV 12-2609
Johnson v. LA County Sheriff's Department (LBAC), CV 08-03515

Eric Preven

The County Resident from District 3

REDACTED

From:
Sent: Friday, May 24, 2013 5:32 PM
To: Peter Eliasberg
Subject: (2) Fwd: CRD3 -- PRA 6250 et seq. for Legal billings from Collins Collins Muir & Stewart for Nee v. County of Los Angeles (CCMS) CV 11-8899

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Cc: ESP3800 ; newstips <newstips@latimes.com>; sestabrook <sestabrook@counsel.lacounty.gov>; constituent <constituent@auditor.lacounty.gov>
Sent: Mon, Mar 11, 2013 5:22 pm
Subject: CRD3 -- PRA 6250 et seq. for Legal billings from Collins Collins Muir & Stewart for Nee v. County of Los Angeles (CCMS) CV 11-8899

Please provide in accordance with the public record act, 6250 et seq, the invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in this particular case:
Nee v. County of Los Angeles (CCMS) CV 11-8899

Eric Preven

The County Resident from District 3

REDACTED

From:
Sent: Friday, May 24, 2013 5:32 PM
To: Peter Eliasberg
Subject: (3) Fwd: CRD3 -- Legal billings from Colinson Law for Erick Hoxey and Shatwan Smith v. County of Los Angeles (Colinson Law) CV 09-1372

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Cc: ESP3800 newstips <newstips@latimes.com>; rmason <rmason@counsel.lacounty.gov>;
constituent <constituent@auditor.lacounty.gov>
Sent: Mon, Mar 11, 2013 5:22 pm
Subject: CRD3 -- Legal billings from Colinson Law for Erick Hoxey and Shatwan Smith v. County of Los Angeles (Colinson Law) CV 09-1372

Please provide in accordance with the public record act, 6250 et seq, the invoices that specify the amounts that the County has been billed by the above firm, and any other firms, in this particular case: Erick Hoxey and Shatwan Smith v. County of Los Angeles (Colinson Law) CV 09-1372

Eric Preven

The County Resident from District 3

REDACTED

From:
Sent: Friday, May 24, 2013 5:32 PM
To: Peter Eliasberg
Subject: (4) Fwd: CRD3 -- PRA 6250 et seq. for Legal billings from Harold Becks & Associates (HB) for Blake Earl Dupree v. County of Los Angeles et al (HBA) CV 09-1110 AHM (SSx)

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Cc: esp3800 ; newstips <newstips@latimes.com>; acaves <acaves@counsel.lacounty.gov>; constituent <constituent@auditor.lacounty.gov>
Sent: Mon, Mar 11, 2013 5:22 pm
Subject: CRD3 -- PRA 6250 et seq. for Legal billings from Harold Becks & Associates (HB) for Blake Earl Dupree v. County of Los Angeles et al (HBA) CV 09-1110 AHM (SSx)

Please provide in accordance with the public record act, 6250 et seq, the invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in this particular case:

Blake Earl Dupree v. County of Los Angeles et al (HB) CV 09-1110 AHM (SSx)

REDACTED

Eric Preven

The County Resident from District 3

REDACTED

From:
Sent: Friday, May 24, 2013 5:33 PM
To: Peter Eliasberg
Subject: (5) Fwd: CRD3 -- Legal billings from Lewis Brisobois Bisgaard & Smith (LBBS) for two cases enumerated herein.

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Cc: ESP3800 ; newstips <newstips@latimes.com>; csalseda <csalseda@counsel.lacounty.gov>;
constituent <constituent@auditor.lacounty.gov>
Sent: Mon, Mar 11, 2013 5:22 pm
Subject: CRD3 -- Legal billings from Lewis Brisobois Bisgaard & Smith (LBBS) for two cases enumerated herein.

Please provide in accordance with the public record act PRA 6250 et seq, all invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in these two cases:

James Parker v. County of Los Angeles (LBBS) CV 12-0064
and
Erick Hoxey and Shatwan Smith v. County of Los Angeles (LBBS) CV 09-1372

Eric Preven

The County Resident from District 3

REDACTED

From:
Sent: Friday, May 24, 2013 5:33 PM
To: Peter Eliasberg
Subject: (6) Fwd: CRD3 -- PRA 6250 et seq. for Legal billings from Hurrell Cantrall (HC) for Dion Starr v. Baca, CV 08-00508

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Cc: ESP3800; newstips <newstips@latimes.com>; bchu <bchu@counsel.lacounty.gov>;
constituent <constituent@auditor.lacounty.gov>
Sent: Mon, Mar 11, 2013 5:22 pm
Subject: CRD3 -- PRA 6250 et seq. for Legal billings from Hurrell Cantrall (HC) for Dion Starr v. Baca, CV 08-00508

Please provide in accordance with the public record act, 6250 et seq, all invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in this particular case: Dion Starr v. Baca (HC), CV 08-00508

Eric Preven

The County Resident from District 3

REDACTED

From:
Sent: Friday, May 24, 2013 5:34 PM
To: Peter Eliasberg
Subject: (7) CRD3 -- Implementation Monitor & consultant records

-----Original Message-----

From: esp3800
To: pkim <pkim@counsel.lacounty.gov>
Sent: Thu, Feb 21, 2013 2:01 pm
Subject: CRD3 -- Implementation Monitor & consultant records

Mr. Kim:

Please identify the obstacle to providing the service agreements for Mr. Drooyan, Mr. Brann and Mr. McGrath, if there is an obstacle. This unfulfilled request may be actionable under the PRA but the best remedy would be to provide the documents immediately via PDF and email.
CRD3

EXHIBIT F



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

JOHN F. KRATTLI
County Counsel

March 26, 2013

TELEPHONE
(213) 974-2163
FACSIMILE
(213) 617-7182
TDD
(213) 633-0901

Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

**Re: Request for Public Records: Service Agreements for Joe
Brand and Joe McGrath**

Dear Mr. Preven:

This is in response to your request for documents evidencing "individual service agreements for Joe Brand and Joe McGrath..."

We must also inform you that, as of the date of this letter, documents responsive to your request are exempt from disclosure pursuant to Government Code section 6254 under the following subsections:

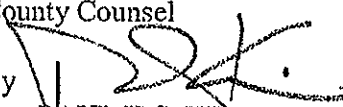
- (a) Records pertaining to pending litigation or claims (Government Code § 6254(b)); and
- (b) Records protected by federal and state law, including, but not limited to, provisions of the Evidence Code, relating to privilege and common law privileges (Government Code § 6254(k)).¹

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By


PAUL H.S. KIM
Deputy County Counsel
Government Services Division

PHSK:vcv

¹ These include, but are not limited to, the privilege for official information, attorney client/work product privileges, deliberative process privilege, as well as federal and state law peace officer personnel privileges.



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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TDD
(213) 633-0901

JOHN F. KRATTLI
County Counsel

March 26, 2013

Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

**Re: Request for Records re Firms Being Considered to Recruit
Position of Inspector General**

Dear Mr. Preven:

This is in response to your request for documents evidencing "all correspondence between the Board (or deputies), the CEO (or designee), the Sheriff (or designee) and any other county departments about firms being considered to recruit for the position of Inspector General for oversight and monitoring of the Sheriff's Department..."

We must also inform you that, as of the date of this letter, documents responsive to your request are exempt from disclosure pursuant to Government Code section under the following subsections:

- (a) Records where the facts of the particular case dictates the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. (Government Code § 6255 (a).)
- (b) Records protected by federal and state law, including, but not limited to, provisions of the Evidence Code, relating to privilege and common law privileges. (Government Code § 6254(k).)¹

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By


PAUL H.S. KIM
Deputy County Counsel
Government Services Division

PHSK:vcv

¹ These include, but are not limited to, the privilege for official information, attorney client/work product privileges, and deliberative process privilege.



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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March 29, 2013

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(213) 617-7182
TDD
(213) 633-0901

Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

Re: Request for Richard Drooyan Service Agreement

Dear Mr. Preven:

This is in response to your request for documents evidencing "personal services agreement between the county and Richard Drooyan for his service as Implementation monitor and any in other capacity that he may be serving re: jail violence."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

- (a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.
- (b) **Government Code section 6254(k) and Business and Professions Code section 6149.** A written fee contract is deemed to be a confidential communication within the meaning of subdivision (e) of Section 6068 and of Section 952 of the Evidence Code. Therefore, in this

Eric Preven
March 29, 2013
Page 2

instance, the records are exempt pursuant to Business and Professions Code section 6149.

(c) **Government Code section 6255.** Records where the facts of the particular case dictates the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By



PAUL H.S. KIM
Deputy County Counsel
Government Services Division

PHSK:vcv



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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March 29, 2013

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TDD
(213) 633-0901

Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

Re: Request for Legal Billings from Harold Becks & Associates

Dear Mr. Preven:

This is in response to your public records act request for documents evidencing "the invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in...Blake Earl Dupree v. County of Los Angeles et al."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

(a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.

(b) **Government Code section 6254(k) and Business and Professions Code section 6149.** The information requested were acquired in confidence by the County of Los Angeles for ongoing litigation purposes pursuant to the contract for legal services with the law

Eric Preven
March 29, 2013
Page 2

firms in question, and are confidential communications pursuant to Business and Professions Code section 6149.

(c) **Government Code section 6255.** Records where the facts of the particular case dictates the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By


PAUL H.S. KIM
Deputy County Counsel
Government Services Division

PHSK:vcv



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
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JOHN F. KRATTLI
County Counsel

March 29, 2013

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FACSIMILE
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(213) 633-0901

Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

Re: Request for Legal Billings from Colinson Law

Dear Mr. Preven:

This is in response to your public records act request for documents evidencing "the invoices that specify the amounts that the County has been billed by the above firm, and any other firms, in...Erick Hoxey and Shatwan Smith v. County of Los Angeles."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

- (a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.
- (b) **Government Code section 6254(k) and Business and Professions Code section 6149.** The information requested were acquired in confidence by the County of Los Angeles for ongoing litigation purposes pursuant to the contract for legal services with the law

Eric Preven
March 29, 2013
Page 2

firms in question, and are confidential communications pursuant to Business and Professions Code section 6149.

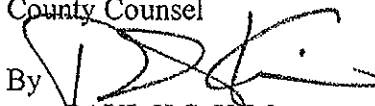
(c) **Government Code section 6255.** Records where the facts of the particular case dictates the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By



PAUL H.S. KIM

Deputy County Counsel
Government Services Division

PHSK:vcv



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

**Re: Request for Legal Billings from Collins Collins Muir &
Stewart**

Dear Mr. Preven:

This is in response to your public records act request for documents evidencing "the invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in Nee v. County of Los Angeles."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

- (a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.
- (b) **Government Code section 6254(k) and Business and Professions Code section 6149.** The information requested were acquired in confidence by the County of Los Angeles for ongoing litigation purposes pursuant to the contract for legal services with the law

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firms in question, and are confidential communications pursuant to Business and Professions Code section 6149.

(c) **Government Code section 6255.** Records where the facts of the particular case dictates the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

If you have any questions or require further assistance, please feel free to contact me.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By



PAUL H.S. KIM

Deputy County Counsel
Government Services Division

PHSK:vcv



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

JOHN F. KRATTLI
County Counsel

March 29, 2013

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(213) 974-2163
FACSIMILE
(213) 617-7182
TDD
(213) 633-0901

Eric Preven
3758 Reklaw Drive
Studio City, CA 91604

Re: Request for Legal Billings from Hurrell Cantrall

Dear Mr. Preven:

This is in response to your public records act request for documents evidencing "all invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in...Dion Starr v. Baca."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

(a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.

(b) **Government Code section 6254(k) and Business and Professions Code section 6149.** The information requested were acquired in confidence by the County of Los Angeles for ongoing litigation purposes pursuant to the contract for legal services with the law

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Re: Request for Legal Billings from Lawrence Beach Allen & Choi

Dear Mr. Preven:

This is in response to your public records act request for documents evidencing "all invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in...Rodriguez v. County of Los Angeles...Holguin v. County of Los Angeles...Gabriel M. Carrillo v. County of Los Angeles."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

- (a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.
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acquired in confidence by the County of Los Angeles for ongoing litigation purposes pursuant to the contract for legal services with the law firms in question, and are confidential communications pursuant to Business and Professions Code section 6149.

(c) **Government Code section 6255.** Records where the facts of the particular case dictates the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

If you have any questions or require further assistance, please feel free to contact me.

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JOHN F. KRATTLI
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Re: Request for Legal Billings from Lewis Brisobois Bisgaard & Smith

Dear Mr. Preven:

This is in response to your public records act request for documents evidencing "all invoices to date that specify the amounts that the County has been billed by the above firm, and any other firms, in... James Parker v. County of Los Angeles...and...Erick Hoxey and Shatwan Smith v. County of Los Angeles."

After reviewing our records, we have determined that there are records responsive to your request. However, the records include confidential information protected by the state law, including statutory and common law privileges. Therefore, while there are responsive records to your request, the involved documents are exempt from production on the following basis:

(a) **Government Code section 6254(k) and the attorney-client privilege, the attorney work product doctrine, and the official information privilege.** Government Code section 6254(k) allows an agency to withhold records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. In this instance, the records are exempt pursuant to the attorney-client, attorney-work product and official information privileges set forth in Evidence Code sections 952 and 954; Code of Civil Procedure sections 2018.020 and 2018.030; and Evidence Code section 1040.

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