



**President**  
Ms. Elizabeth Ehrenstrom  
City of Oroville

**Vice President**  
Ms. Kristine Haile  
City of Folsom

**Treasurer**  
Mr. Tim Sailsbery  
City of Willows

**Secretary**  
Ms. Gina Will  
Town of Paradise

## NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND CLAIMS COMMITTEE MEETING AGENDA

**Date:** Thursday, September 26, 2019

**Time:** 10:00 a.m.

**Location:** Rocklin Event Center - Garden Room  
2650 Sunset Blvd.  
Rocklin, CA 95677

**A – Action**  
**I – Information**

**1 – Attached**  
**2 – Hand Out**  
**3 – Separate Cover**  
**4 – Verbal**

### MISSION STATEMENT

*The Northern California Cities Self Insurance Fund, or NCCSIF, is an association of municipalities joined to protect member resources by stabilizing risk costs in a reliable, economical and beneficial manner while providing members with broad coverage and quality services in risk management and claims management.*

**A. CALL TO ORDER**

**B. APPROVAL OF AGENDA AS POSTED**

**A 1**

**C. PUBLIC COMMENTS**

*This time is reserved for members of the public to address the Committee on matters pertaining to NCCSIF that are of interest to them.*

pg. 3 **D. CONSENT CALENDAR**

**A 1**

*All matters listed under the consent calendar are considered routine with no separate discussion necessary. Any member of the public or the Committee may request any item to be considered separately.*

pg. 4 1. Claims Committee Meeting Minutes - May 30, 2019

pg. 7 2. Claims Committee Special Meeting Minutes - July 11, 2019

pg. 9 **E. CLOSED SESSION TO DISCUSS PENDING CLAIMS**

**A 3**

(Per Governmental Code Section 54956.95)

**\*REQUESTING AUTHORITY**

Workers Compensation:

1. NCWA-557025 v. City of Colusa\*

2. NCWA-557572 v. City of Elk Grove\*

3. NCWA-557276 and NCWA-532804 v. City of Marysville\*

4. NCWA-556837 v. City of Yuba City\*

5. NCWA-557495 v. City of Rocklin\*

**F. REPORT FROM CLOSED SESSION**

**I 4**

*The Committee will announce any reportable action taken in closed session.*



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- pg. 10    **G.    APPROVAL OF NCCSIF DEFENSE ATTORNEY LIST FOR LIABILITY    A    1**  
*The Committee will be asked to approve revising the NCCSIF Liability Defense Attorney List to include attorneys from the law firm of Lynberg & Watkins.*
- pg. 24    **H    SEDGWICK ACQUISITION OF YORK RISK SERVICES GROUP, INC.    I    4**  
*Dori Zumwalt will discuss the recent acquisition of York Risk Services Group, Inc.*
- pg. 28    **I.    ROUND TABLE DISCUSSION    I    4**  
*The floor will be open to Committee members for any topics or ideas that members would like to address.*
- J.    ADJOURNMENT**

#### **UPCOMING MEETINGS**

Risk Management Committee Meeting - October 24, 2019

Board of Directors Meeting and 40<sup>th</sup> Anniversary Celebration - October 24, 2019

Police Risk Management Committee Meeting - November 7, 2019

*Per Government Code 54954.2, persons requesting disability related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact Raychelle Maranan at Alliant Insurance Services at (916) 643-2712.*

*The Agenda packet will be posted on the NCCSIF website at [www.nccsif.org](http://www.nccsif.org). Documents and material relating to an open session agenda item that are provided to the NCCSIF Claims Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2180 Harvard Street, Suite 460, Sacramento, CA 95815.*

*Access to some buildings and offices may require routine provisions of identification to building security. However, NCCSIF does not require any member of the public to register his or her name or to provide other information, as a condition to attendance at any public meeting and will not inquire of building security concerning information so provided. See Government Code section 54953.3.*



BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Claims Committee Meeting  
September 26, 2019**

**Agenda Item D.**

**CONSENT CALENDAR**

**ACTION ITEM**

**ISSUE:** The Committee reviews items on the Consent Calendar, and if any item requires clarification or discussion a Member should ask that it be removed for separate action. The Committee should then consider action to approve the Consent Calendar excluding those items removed. Any items removed from the Consent Calendar will be placed later on the agenda in an order determined by the Chair.

**RECOMMENDATION:** Adoption of the Consent Calendar after review by the Committee.

**FISCAL IMPACT:** None.

**BACKGROUND:** Routine items that generally do not require discussion are regularly placed on the Consent Calendar for approval.

**ATTACHMENT(S):**

1. Claims Committee Meeting Minutes - May 30, 2019 (Draft)
2. Claims Committee Meeting Minutes - July 11, 2019 (Draft)



**MINUTES OF THE  
NCCSIF CLAIMS COMMITTEE MEETING  
VIA TELECONFERENCE  
MAY 30, 2019**

**COMMITTEE MEMBERS PRESENT**

Liz Ehrenstrom, City of Oroville (Vice Chair)  
Kristine Haile, City of Folsom (Chair)  
Cora Hall, City of Galt  
Tim Sailsbery, City of Willows

**COMMITTEE MEMBERS ABSENT**

Gina Will, Town of Paradise

**CONSULTANTS & GUESTS**

Marcus Beverly, Alliant Insurance Services  
Raychelle Maranan, Alliant Insurance Services

Dori Zumwalt, York Risk Services  
Steven Scott, York Risk Services  
Jill Petrarca, York Risk Services

**A. CALL TO ORDER**

Vice Chair Liz Ehrenstrom called the meeting to order at 10:38 a.m.

**B. ROLL CALL**

Roll call was made and the above mentioned members were present constituting a quorum.

**C. APPROVAL OF AGENDA AS POSTED**

**A motion was made to approve the Agenda as posted.**

**Motion:** Tim Sailsbery

**Second:** Cora Hall

**Motion Carried**

**Ayes:** Ehrenstrom, Hall, Sailsbery

**D. PUBLIC COMMENTS**

No public comments were made.

**E. CONSENT CALENDAR**

1. Claims Committee Meeting Minutes - March 14, 2019



2. Claims Committee Special Meeting Minutes - April 23, 2019

**A motion was made to approve the items in the Consent Calendar as presented.**

**Motion:** Cora Hall

**Second:** Tim Sailsbery

**Motion Carried**

**Ayes:** Ehrenstrom, Hall, Sailsbery

**F. CLOSED SESSION**

Pursuant to Government Code Section 54956.95, the Committee recessed to closed session at 10:40 a.m. to discuss the following claims:

*Kristine Haile joined the meeting during closed session at 10:45 a.m.*

Liability:

1. Limb v. City of Folsom

Workers Compensation:

1. NCWA-556537, NCWA-83200, NCWA-558217 v. City of Rocklin
2. NCWA-555869, NCWA-558062 v. City of Folsom
3. NCWA-345629 v. City of Oroville

**G. REPORT FROM CLOSED SESSION**

The Committee reconvened to open session at 11:20 a.m.

Vice Chair Ehrenstrom indicated no formal announcement is necessary as direction was given to the Program and Claims Administrators for the claims referenced above.

**H. NCCSIF WORKERS' COMPENSATION PROGRAM CLAIMS AUDIT AND YORK'S RESPONSE**

Mr. Marcus Beverly reviewed the results of the Workers' Compensation Program Claims Audit conducted by Tim Farley of Farley Consulting Services on April 2019. York's performance meets and exceeds industry standards with overall score of 97.7%. The one category with the lowest score at 92.3%, Excess Reporting Identification and Timeliness. York WC team have shown significant improvement in the past two years since Steven Scott took over the WC team.

**A motion was made to accept and file the NCCSIF Workers' Compensation Program Claims Audit and York's Response.**

**Motion:** Tim Sailsbery

**Second:** Kristine Haile

**Motion Carried**

**Ayes:** Ehrenstrom, Haile, Hall, Sailsbery

**I. ROUND TABLE DISCUSSION**

None.

**J. ADJOURNMENT**

This meeting was adjourned at 11:28 a.m.

Respectfully Submitted,

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Gina Will, Secretary

---

Date

DRAFT



**MINUTES OF THE  
NCCSIF CLAIMS COMMITTEE SPECIAL MEETING  
VIA TELECONFERENCE  
JULY 11, 2019**

**COMMITTEE MEMBERS PRESENT**

Kristine Haile, City of Folsom (**Chair**)  
Tim Sailsbery, City of Willows  
Gina Will, Town of Paradise

**COMMITTEE MEMBERS ABSENT**

Liz Ehrenstrom, City of Oroville

**CONSULTANTS & GUESTS**

Marcus Beverly, Alliant Insurance Services  
Raychelle Maranan, Alliant Insurance Services  
Dori Zumwalt, York Risk Services

Steven Scott, York Risk Services  
Jill Petrarca, York Risk Services

**A. CALL TO ORDER**

Chair Kristine Haile called the meeting to order at 11:05 a.m.

**B. ROLL CALL**

Roll call was made and the above mentioned members were present constituting a quorum.

**C. APPROVAL OF AGENDA AS POSTED**

**A motion was made to approve the Agenda as posted.**

**Motion:** Tim Sailsbery

**Second:** Gina Will

**Motion Carried**

**Ayes:** Haile, Sailsbery, Will

**D. PUBLIC COMMENTS**

No public comments were made.

**E. CLOSED SESSION**

Pursuant to Government Code Section 54956.95, the Committee recessed to closed session at 11:07 a.m. to discuss the following claim:

Workers' Compensation:

1. NCWA-556471, NCWA-529694, NCWA-556461, NCWA-556462 and NCWA-355015 v. City of Folsom
2. NCWA-557411 v. City of Elk Grove
3. NCWA-557125 v. City of Nevada City

Liability

1. NCGA08700A1 v. City of Willows

**F. REPORT FROM CLOSED SESSION**

The meeting resumed to open session at 11:25 a.m.

Chair Hailed indicated no formal announcement is necessary as direction was given to the Program and Claims Administrators for the claims referenced above.

**G. ADJOURNMENT**

This meeting was adjourned at 11:25 a.m.

Respectfully Submitted,

\_\_\_\_\_  
Gina Will, Secretary

\_\_\_\_\_  
Date





BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Claims Committee Meeting  
September 26, 2019**

**Agenda Item E.**

**CLOSED SESSION TO DISCUSS PENDING CLAIMS**

(Per Governmental Code Section 54956.95)

**ACTION ITEM**

**ISSUE:** Pursuant to Government Code Section 54956.95, the Committee will hold a Closed Session to discuss the following claims:

Workers Compensation:

1. NCWA-557025 v. City of Colusa\*
2. NCWA-557572 v. City of Elk Grove\*
3. NCWA-557276 and NCWA-532804 v. City of Marysville\*
4. NCWA-556837 v. City of Yuba City\*
5. NCWA-557495 v. City of Rocklin\*

\*REQUESTING AUTHORITY

**FISCAL IMPACT:** Unknown.

**RECOMMENDATION:** The Program Manager cannot make a recommendation at this time, as the subject matter is confidential.

**BACKGROUND:** Confidential.

**ATTACHMENT(S):** None.



**Agenda Item G.**

**APPROVAL OF NCCSIF DEFENSE ATTORNEY LIST  
FOR LIABILITY**

**ACTION ITEM**

**ISSUE:** The City of Lincoln is recommending the addition of Melissa D. Culp, Ruben Escobedo, Courtney L. Hylton, and Norman J. Watkins from Lynberg & Watkins to the Liability Counsel Approved List. Lincoln's City Attorney has worked with them in the past, and we anticipate any referrals would be made to Melissa Culp and billed from their Sacramento office, opening by the end of the year.

Hourly rates for the firm: Partner \$205, Associate \$185, and Paralegals \$105. These are in line with other firms on the approved list.

**RECOMMENDATION:** Approve as requested.

**FISCAL IMPACT:** None.

**BACKGROUND:** The Claims Committee regularly reviews and recommends changes to the Approved List of attorneys based on feedback from members and the claims administrator.

**ATTACHMENT(S):**

1. City of Lincoln Recommendation
2. Lynberg & Watkins
3. Melissa D. Culp Bio
4. Ruben Escobedo Bio
5. Courtney L. Hylton Bio
6. Norman J. Watkins Bio
7. Policy and Procedure A-9: Attachment A Defense Attorney List for Liability (red-line version)

**From:** Kristine Mollenkopf [<mailto:kristine.mollenkopf@lincolnca.gov>]  
**Sent:** Wednesday, September 4, 2019 10:01 AM  
**To:** Marcus Beverly <[Marcus.Beverly@alliant.com](mailto:Marcus.Beverly@alliant.com)>  
**Cc:** Veronica Rodriguez <[veronica.rodriguez@lincolnca.gov](mailto:veronica.rodriguez@lincolnca.gov)>  
**Subject:** Adding new panel counsel

**This message has originated outside the organization.**

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Marcus attached is the firm resume I'd like to see added. They're working on opening a Sacramento-area office. I've worked with them extensively in Southern California and they do great work.

## Kristine L. Mollenkopf, City Attorney

City of Lincoln

600 6<sup>th</sup> Street

Lincoln, CA 95648

Direct Line: (916) 434-2428

Facsimile: (916) 654-8903



**Our Mission:** To provide the highest level of service responsive to our community's expectations and to enhance the quality of life and economic vitality.

Lynberg & Watkins, an AV rated firm, has offices in Downtown Los Angeles, Orange County, San Diego and the Central Coast. Over the past 45 years, Lynberg & Watkins has grown to represent clients on a local, regional and national basis in diverse areas of the law, including employer liability, premises liability, public entity and police civil liability defense, professional liability, construction law, insurance coverage, as well as the defense of general tort-based claims. The firm presently employs 35 attorneys. Further details concerning the firm, its practice areas and legal personnel can be found at its website [www.lynberg.com](http://www.lynberg.com).

## **ATTORNEY EXCELLENCE**

Lynberg & Watkins has earned a long-standing reputation of excellence and prominence with clients and the legal community alike. The firm's core practice is in civil litigation and insurance coverage. The firm represents public entities, insurance companies and their insureds, private corporations, and individuals on a national, regional, and local level.

## **SKILLED ADVOCACY IN LITIGATION**

Our litigation team serves our clients' interests through creative legal and factual analysis and strategy coupled with skilled courtroom advocacy. We approach every lawsuit with the expectation that the case will be tried. By developing case themes early, focusing our discovery efforts on the key issues, and demonstrating the ability and drive to take the case to the courtroom, we put our clients in the best position to win – whether at trial, on summary judgment, or through a negotiated resolution.

## **EXTENSIVE INSURANCE COVERAGE EXPERIENCE**

Our insurance coverage team routinely advises insurance companies on domestic and foreign policies involving primary, umbrella, and excess coverage, having considerable experience with claims involving environmental, construction, healthcare, general liability, mass torts, product liability, and worker's compensation. The coverage team works with underwriters to craft policy language and when the need arises, the team represents insurers in actions for declaratory relief and bad faith, often in cases presenting novel or unique coverage issues.

# LYNBERG & WATKINS



**MELISSA D. CULP**

**MCULP@LYNBERG.COM**  
**714•937•1010**

**PARTNER** | **ORANGE COUNTY**  
1100 Town & Country Road  
Suite #1450

## BIOGRAPHY

**Ms. Melissa Culp** first started at the firm as a Summer Associate in 2008. After graduating *cum laude* and Order of the Coif from Loyola Law School in 2009, where she served as the Chief Research Editor of the Entertainment Law Review, Ms. Culp joined the firm as a Litigation Associate. She was promoted to partner in 2018.

Ms. Culp's practice encompasses all stages of civil litigation representing public entities, individuals and corporate defendants in state and federal courts. Her practice areas include general torts, civil rights, police liability, premises liability, personal injury, disability discrimination, fraud and professional negligence matters.

Ms. Culp is responsible for managing all phases of active litigation files, including pre-litigation claim handling, discovery and investigation, pre-trial motions, dispositive motions, motions *in limine*, post-trial motions and appellate briefing. Ms. Culp has extensive pre-trial law and motion experience. By way of illustration, she successfully advocated and obtained dismissals of the following actions in favor of the public entity defendant in Cerrillo v. County of Orange, Case No. 30-2018-00965593; Sunset Pier v. City of Downey, Case No. VC06683; Masi v. City of Palm Springs, Case No. INC1301987; Villalta v. City of Palm Springs, Case No. PSC1401112; Acosta v. City of Downey, Case No. VC058649; Munden, et. al. v. City of Downey, et al., Case No. CV12-3785 GHK (RZx); Salazar v. County of Orange, et al., Case No. CV11-1125 AG (MLGx); Peshkepia-Cadena, et al. v. SunTrust Bank, et al., Case No. CV12-7322 RGK (RZx); Howell v. City of Fontana, Case No. CIVDS1402830; and Ortiz v. City of Huntington Park, Case No. BS160756. Ms. Culp successfully obtained summary judgment in favor of the City of Downey against claims of premises liability in Covarrubias v. City of Downey, Case No. BC554859 and was also successful in disposing of all the federal Constitutional claims by summary adjudication in a wrongful death case as published in Estate of Velasco v. City of Fontana, 2012 WL 13065650 (C.D. Cal. 2012); and Estate of Jose Velasco, et al. v. City of Fontana, et al., 2012 WL 13065671 (C.D. Cal. 2012).

Ms. Culp was part of the trial team that defended the Orange County District Attorney's Office in a class action involving novel issues of procedural due process in Vasquez, et al. v. Rackauckas, et al., Case No. SACV 09-1090-VBF(RNBx). She has worked on numerous appeals in both state and federal courts and obtained a published opinion favorable to the County of Orange in Powell v. County of Orange, 197 Cal. App. 4th 1573 (2011).

### EDUCATION

- Loyola Law School, Los Angeles, JD
  - 2009, *Cum Laude*, *Order of the Coif*
- University of California, Los Angeles, BA
  - 2004

### PRACTICE AREAS

- Appellate
- Civil Rights
- Labor and Employment
- General Torts
- Insurance Coverage
- Mold Liability Defense
- Police Liability Defense
- Premises Liability
- Public Entity Defense

### ADMISSIONS

- State Bar of California, 2009
- U.S. Court of Appeal for the Ninth Circuit, 2009
- U.S. District Court for the Central District California, 2009
- U.S. District Court for the Southern District of California, 2009
- U.S. District Court for the Eastern District of California, 2009
- U.S. District Court for the Northern District of California, 2009

### PROFESSIONAL AFFILIATIONS

- Association of Southern California Defense Counsel

### REPORTED CASES

- Powell v. County of Orange, 197 Cal. App. 4th 1573 (2011).
- Estate of Velasco v. City of Fontana, 2012 WL 13065671(C.D. Cal. 2012).
- Estate of Velasco v. City of Fontana, 2012 WL 13065650 (C.D. Cal. 2012).
- Salazar v. Cty. of Orange, 564 F. App'x 322 (9th Cir. 2014).
- Peshkepia-Cadena v. SunTrust Bank, 644 F. App'x 715 (9th Cir. 2016).



# LYNBERG & WATKINS



## RUBEN ESCOBEDO

RESCOBEDO@LYNBERG.COM  
805•232•3884

**PARTNER** | CENTRAL COAST  
8930 Morro Road  
Atascadero, CA 93422

## BIOGRAPHY

**Mr. Ruben Escobedo** is a California native focusing in defending public and private entities in civil suits ranging from garden variety personal injury cases to complex constitutional claims. He started his legal career at the Los Angeles City Attorney's Office, where he gained early trial experience as a law student and an interest in representing municipalities and the public servants that drive them. After passing the bar, Mr. Escobedo spent his first two years as a lawyer working with a solo practitioner in Santa Ana, where he gained additional trial experience and sharpened his legal writing skills in various civil litigation matters.

In 2013, Mr. Escobedo joined Lynberg & Watkins and is based in the firm's Central Coast Office. Mr. Escobedo became a partner of the firm in 2019. Mr. Escobedo represents municipalities, public schools, and private employers and in state and federal courts along the California coast from San Luis Obispo to San Diego. Mr. Escobedo lives in Paso Robles, CA, with his wife and their two children. In his free time, Mr. Escobedo enjoys golf and karaoke.

### EDUCATION

- Chapman University School of Law (Fowler), JD
  - 2011, *Cum Laude*
- California State University, Long Beach, BA
  - 2008

### PRACTICE AREAS

- Appellate Practice
- Labor & Employment
- Class Action
- Police Liability Defense
- Premises Liability Defense
- Public Entity Defense

### ADMISSIONS

- State Bar of California
- Supreme Court of the State of California
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Northern District of California

### PROFESSIONAL AFFILIATIONS

- American Society of Legal Writers
- National Order of Scribes
- Northern Santa Barbara County Bar Association
- San Luis Obispo County Bar Association

### PUBLICATIONS

- Employment Law Updates (2017-2019): Claims for 59 Seconds of Work Approved, Autopayment of Meal Premiums, Calculation of Time "Off the Clock," Payment of Meal Period Premiums, Individual Liability for Wage and Hour Violations, "Regarded As" Disabled Discrimination, On-Site Meal Periods, Abusive Clients and Customers, Disability Accommodations, Independent Contractors, Overtime and Shift Differentials, Workplace Dating, Criminal Background Checks, Wage Statement Compliance, Harassment Investigations, Employee Dress Policies and Practices, and more
- Premises Liability Updates (2017-2018)
- Achieving the Goals of Sentencing Tax Evaders After United States v. Booker, Vol. 2 Chapman Journal of Criminal Justice 275 (2011)

### PRESENTATIONS/SEMINARS

- Labor Law Update, Pan American Insurance Seminar (2019)
- Mindfulness and Identifying Impairments to Attorney Competence (2018)
- Law and Motion: Dos and Don'ts for Paralegals (2018)
- California Payroll Best Practices (2017)
- Anti-SLAPP Motions for Government Lawyers CLE Seminar (2016)

### REPRESENTATIVE CASES

- Ali v FusionStorm, Inc., 2019 WL 495823
- Butts v. Cal. State University, Daily Journal (Mar. 24, 2017), *aff'd* 2019 WL 1147611
- Lane v. Cal. State University, 2017 WL 5623520
- Amaya v. Orange Unified School District, 2016 WL 2989569
- Alan v. Buena Park Sch. Dist., 2015 WL 10856334



# LYNBERG & WATKINS



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Suite 1450

## BIOGRAPHY

**Ms. Courtney Hylton** has been with the firm since 2002 and has been a partner of the firm since 2009. Ms. Hylton specializes in the representation of public entities and in particular the defense of school districts, community college districts, and universities in tort and employment matters. Ms. Hylton also represents and counsels private employers in labor and employment matters.

Ms. Hylton represents governmental and private employers in matters involving wrongful termination, violations of the Fair Employment and Housing Act (FEHA) and the Americans with Disability Act (ADA), discrimination, harassment, wage and hour, and other forms of labor and employment litigation.

Ms. Hylton is an experienced litigator who handles all phases of litigation from inception through trial. She has taken hundreds of depositions of party-plaintiffs, percipient witnesses, treating physicians and psychologists, and other health care providers, as well as many other categories of expert witnesses, both medical and liability-related. Ms. Hylton provides primary representation for clients at arbitrations, mediations, and trial. Ms. Hylton also represents employers before the California Labor Board and the Public Employment Relations Board.

Ms. Hylton provides various seminars to her clients regarding proper administration of leaves of absence, sexual harassment training, wage and hour compliance, and the importance of documentation in employment matters.

### EDUCATION

- University of San Francisco, JD
  - 2001
- University of California, Santa Barbara, B.A.
  - 1997

### PRACTICE AREAS

- Labor and Employment
  - Wage & Hour
  - Harassment, Discrimination, Wrongful Termination
- Public Entity Defense
- General Torts
- Premises Liability
- Appellate Practice

### ADMISSIONS

- State Bar of California, 2001
- Supreme Court of the State of California, 2001
- U.S. District Court, Central District of California
- 9<sup>th</sup> Circuit Court of Appeal

### NOMINATIONS/AWARDS

- Superlawyer, Rising Star 2012-2015

### PROFESSIONAL AFFILIATIONS

- American Bar Association
- Orange County Bar Association
- Orange County Women Lawyers' Association

### PRESENTATION/SEMINARS

- Child Abuse Prevention and Reporting for Mandatory Reporters
- Avoiding Employment Liability Claims
- California Payroll Best Practices
- How to Properly Administer Leaves of Absence (FMLA, CFRA, PDL)
- Sexual Harassment in the Workplace (AB 1825)

# LYNBERG & WATKINS



## NORMAN J. WATKINS

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1100 Town & Country Road  
Suite #1450

## BIOGRAPHY

**Mr. Norman Watkins** has tried over 130 cases to jury verdict in California, Pennsylvania, Michigan, Texas and Arizona. These trials have involved a wide variety of claims, including general torts, civil rights, police liability, trucking, insurance bad faith, and a variety of employment harassment and discrimination suits.

Mr. Watkins' trial experience includes many high-profile matters such as, *Cohen v. Masry*; *Foley v. City of Coronado*; *Anderson, et al. v. County of Orange*; and has taken several cases to the U.S. Supreme Court. In addition, Mr. Watkins successfully defended the Orange County District Attorney in a series of high-profile whistleblower cases. See, *Jacobs v County of Orange*, Los Angeles County Superior Court, Case No. 02CC01476; *Jacobs v. County of Orange*, United States District Court, Case No. SACV 01-677 GLT; *OCAA v. County of Orange*, Los Angeles County Superior Court, Case No. 02CC05089; and, *Smith v. County of Orange*. Most recently, Mr. Watkins successfully obtained a defense verdict for the Sheriff of Orange County following a lengthy bench trial in the matter of *Anderson v. County of Orange*, Orange County Superior Court Case No. 30-2010-00376368. The Anderson matter involved claims by top officials in the Sheriff's Department that they were wrongfully terminated under the Public Safety Officers Bill of Rights (POBRA).

Mr. Watkins has argued over 50 appeals in state and federal courts on behalf of public entities. He has obtained many published opinions concerning important principles of law, including five appearances before the United States Supreme Court. See, *Pennhurst State School and Hospital v. Halderman*, 451 U.S. 1 (1981); *O'Bannon v. Town Court Nursing Center*, 447 U.S. 773 (1980); *Secretary of Public Welfare*, 442 U.S. 640 (1979); *Beal v. Doe*, 432 U.S. 439 (1977); *Kremens v. Bartley*, 431 U.S. 119 (1977).

## EDUCATION

- University of Pittsburgh, JD
  - 1979
- Texas Christian University and Lycoming College, BA
  - 1976

## PRACTICE AREAS

- Appellate Practice
- Civil Rights
- Labor and Employment
- General Torts
- Police Liability Defense
- Premises Liability Defense
- Product Liability Defense
- Public Entity Defense
- Toxic Substance Exposure Defense
- Transportation and Trucking

## ADMISSIONS

- State Bar of Pennsylvania (Served as Deputy Attorney General)
- State Bar of California
- The U.S. Supreme Court
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Western District of Pennsylvania

## PROFESSIONAL AFFILIATIONS

- Individually AV Preeminent-rated by Martindale-Hubbell
- Super Lawyer, 2011

## PROFESSIONAL ACTIVITIES

- NITA Trial Academy – Judge
- ABOTA Trial Academy – Judge

## PRESENTATIONS/SEMINARS

- Children's Institutions/Community Care, Woodrow Wilson School of Public and International Affairs, Princeton University (Princeton, N.J. 1978).
- Atlantic States Conference National Association of State Mental Health Directors (Washington, D.C. 1978).
- Public Television: "Bad Faith And The Insurance/Litigation Crisis."

## REPORTED CASES

- Kremens v. Bartley, 97 S.Ct. 1709 (1977).
- Beal v. Doe, 97 S.Ct. 2366 (1977).
- Secretary of Public Welfare v. Institutionalized Juveniles, 99 S.Ct. 2523 (1979).
- O'Bannon v. Town Court, 100 S.Ct. 2467 (1980) [Retained as Special Deputy Attorney General of Pennsylvania for Argument and Briefing].
- Pennhurst State School and Hospital v. Haldermann, 101 S.Ct. 1531 (1981) [Retained as Special Deputy Attorney General of Pennsylvania for Briefing].
- O'Burn v. Shapp, 521 F.2d 142 (3rd Cir. 1975).
- Commonwealth of Pennsylvania v. Kleppe, 533 F.2d 668 (D.C. Cir. 1975).
- Erie Human Relations v. Tullio, 493 F.2d 371 (3rd. Cir. 1974).
- Tulco v. Ciba-Geigy, 191 Cal.App.3d 116 (1987).
- Pocono Pines Corp. v. Pennsylvania, 464 Pa. 17 (1975).
- Freach v. Pennsylvania, 354 A.2d 492 (1976).

## PUBLICATIONS

- "*Kremens v. Bartley, The Case for the State*", 27 Hospital and Community Psychiatry 706.
- "*Defending Multi-Plaintiff Toxic Tort Cases*", 26 For the Defense 12.
- "*Voire Dire: The Defense Perspective*", Advocate (Consumer Attorneys Association of Los Angeles publication).
- "*An approach to Cross-Examination of an Expert*", For the Defense (Defense Research Institute publication).
- "*Negotiation the Complex Case*", For the Defense (Defense Research Institute publication).

**NCCSIF ADMINISTRATIVE POLICY & PROCEDURE #A-9**

**ATTACHMENT A - LIABILITY**  
**Approved List of Counsel**

| <b>Name of Law Firm</b>                                                                                   | <b>Attorneys</b>                                                                                         | <b>Areas of Expertise</b>                                                                                                      |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Angelo, Kilday & Kilduff<br>601 University Avenue, Suite 150<br>Sacramento, CA 95825<br>(916) 564-6100    | Bruce A. Kilday<br>Carolee Kilduff<br>Serena Sanders<br>Carrie McFadden<br>Kevin Dehoff<br>Amie McTavish | Police Liability, General Liability,<br>Auto, Personnel, Heavy Trial<br>Experience                                             |
| Ayres & Associates<br>930 Executive Way, Suite 200<br>Redding, CA 96002<br>(530) 229-1340                 | William Ayres                                                                                            | Dangerous Condition, Auto,<br>General Liability, Environmental<br>Liability                                                    |
| Bertrand, Fox, Elliott et al<br>2749 Hyde Street<br>San Francisco, CA 94109<br>(415) 353-0999             | Eugene Elliott                                                                                           |                                                                                                                                |
| Caulfield Law Firm<br>1101 Investment Blvd., Suite 120<br>El Dorado Hills, CA 95762<br>(916) 933-3200     | Rich Caulfield<br>Andrew Caulfield                                                                       | Same as above, with Construction<br>Defect, Heavy to Medium Trial<br>Experience                                                |
| Donahue Davies LLP<br>1 Natoma Street<br>Folsom, CA 95630<br>(916) 817-2900                               | Robert E Davies<br>Brian Haydon                                                                          |                                                                                                                                |
| Gregory P. Einhorn<br>48 Hanover Lane, Suite 2<br>Chico, CA 95973<br>(530) 898-0228                       | Gregory P. Einhorn<br><br><i>Use for Willows as needed</i>                                               | Employment Law, General<br>Liability, Municipal                                                                                |
| Kronick, Moskovitz Tiedemann & Girard<br>400 Capitol Mall, 27 <sup>th</sup> Floor<br>Sacramento, CA 95814 | Christopher Onstott<br>Bruce A. Scheidt *<br>Maggie Stern<br><br>David W. Tyra                           | Civil Rights, California Fair<br>Employment and Housing, Tort<br>Claims, California Public Records<br><br>Employment Practices |

**NCCSIF ADMINISTRATIVE POLICY & PROCEDURE #A-9**

**ATTACHMENT A - LIABILITY  
Approved List of Counsel**

| <b>Name of Law Firm</b>                                                                                                                 | <b>Attorneys</b>                                                                                                        | <b>Areas of Expertise</b>                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Peters, Habib, McKenna Juhl-Rhodes & Cardoza, LLP<br>P.O. Box 3509<br>Chico, CA 95927<br>(530) 342-3593                                 | Dave Rush<br>Mark Habib<br>Jim McKenna<br>Lia Juhl                                                                      | Dangerous Condition, Police Liability, General Liability, Auto, Good Trial Experience                                     |
| Porter Scott<br>P.O. Box 255428<br>Sacramento, CA 95865<br>(916) 929-1481<br>Fax: (916) 927-3706                                        | Nancy Sheehan<br>John Whitefleet<br>Kevin Kreutz<br>Terry Cassidy<br>Carl L. Fessenden<br>Steve Horan<br>Russell Porter | Police, Civil Rights, Dangerous Condition, Inverse Condemnation, Auto, General Liability, Heavy to Light Trial Experience |
| Matheny Sears Linkert & Jaime, LLP<br>3638 American River Drive<br>Sacramento, CA 95864<br>(916) 978-3434<br>Fax: (916) 978-3430        | Matthew Jaime<br>Douglas Sears<br>Richard Linkert<br>Michael Bishop                                                     |                                                                                                                           |
| The Law Office of Justin N. Tierney<br>2000 U Street<br>Sacramento, CA 95814<br>(916) 451-3426                                          | Justin N. Tierney                                                                                                       | Dangerous Condition, Auto, Medium Trial Experience                                                                        |
| The Law Office of James A. Wyatt<br>2130 Eureka Way<br>Redding, CA 96001<br>(530) 244-6060<br>P.O. Box 992338<br>Redding, CA 96099-2338 | James A. Wyatt                                                                                                          | Dangerous Condition, Civil Rights, Police, Wrongful Termination, Auto Liability, Labor Law, Heavy Trial Experience        |
| Murphy, Campbell, Alliston & Quinn, PLC.<br>8801 Folsom Boulevard, Suite 230<br>Sacramento, CA 95826<br>(916) 400-2300                  | Stephanie L. Quinn                                                                                                      | Auto, Wrongful Deaths, Slip and falls, Fire and Trespassing Experience                                                    |

## NCCSIF ADMINISTRATIVE POLICY & PROCEDURE #A-9

### **ATTACHMENT A - LIABILITY** **Approved List of Counsel**

| <b>Name of Law Firm</b>                                                                                                                                               | <b>Attorneys</b>                                                                                                                             | <b>Areas of Expertise</b>                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Cota Cole LLP<br>2261 Lava Ridge Court<br>Roseville, CA 95661<br>(916) 780-9009                                                                                       | Dennis Cota<br>Derek Cole<br>Daniel King                                                                                                     | Land Use, civil rights,<br>environmental issues.                                         |
| Allen, Glaessner, Hazelwood, Werth<br>180 Montgomery Street, Ste. 1200<br>San Francisco, CA 94104<br>(415) 697-2000                                                   | Dale Allen<br>Mark Hazelwood<br>Steve Werth                                                                                                  | Police liability, ADA, sidewalk,<br>employment practices, general<br>municipal liability |
| Arthofer and Tonkin, Attorneys At Law<br>1267 Willis Street<br>Redding, CA 96001<br>(530) 722-9002                                                                    | Kenneth Arthofer<br>Griffith Tonkin                                                                                                          | Public entity, injury, real estate                                                       |
| Randall Harr<br>44282 Highway 299 East<br>McArthur, CA 96056<br>(530) 336-5656<br>rlh@randallharrlaw.com                                                              | Randall Harr                                                                                                                                 |                                                                                          |
| Lenahan, Lee, Slater, Pearse & Majernik<br>LLP<br>2542 River Plaza Drive<br>Sacramento, CA 95833<br>(916) 443-1030                                                    | Charleton S. Pearse<br>Benjamin D. Oram, Esq.<br>Adam Ambrozy                                                                                | Dangerous Condition and<br>Vicarious Liability cases                                     |
| <a href="#">Lynberg &amp; Watkins</a><br><a href="#">1100 Town &amp; Country Rd., Ste. 1450</a><br><a href="#">Orange, CA 92868</a><br><a href="#">(714) 937-1010</a> | <a href="#">Melissa D. Culp</a><br><a href="#">Ruben Escobedo</a><br><a href="#">Courtney L. Hylton</a><br><a href="#">Norman J. Watkins</a> |                                                                                          |

\* Bruce A. Scheidt will be used only as respects the Eaton vs. Rocklin litigation.

Revision Date: September 26~~7~~, 2019~~8~~





**Agenda Item H.**

**SEDGWICK ACQUISITION OF YORK RISK SERVICES GROUP, INC.**

**INFORMATION ITEM**

**ISSUE:** Dori Zumwalt will be in attendance to discuss the recent acquisition of York Risk Services Group, Inc. by Sedgwick.

**RECOMMENDATION:** None. Information only.

**FISCAL IMPACT:** None.

**BACKGROUND:** York Risk Services Group and its predecessor Bragg & Associates have been providing claims administration services to NCCSIF since the inception of the Workers' Compensation and Liability Programs. The sale of York to Sedgwick was finalized on September 4, 2019.

**ATTACHMENT(S):** Sedgwick Press Release



September 4, 2019

## Sedgwick completes acquisition of York Risk Services Group

I am pleased to let you know that, after months of planning and having received regulatory approval, Sedgwick has finalized its purchase of York Risk Services Group. Today's news marks another exciting milestone in our remarkable growth story spanning the past 50 years.

York's customized claims solutions and expertise in managed care, pool administration, loss control and other specialties complement and enrich Sedgwick's market capabilities. With the close of this strategic acquisition, we are pleased to officially welcome York's 5,000 highly skilled professionals to the Sedgwick family, which now comprises nearly 27,000 colleagues across 65 countries! Together, we'll have greater capacity to support even more customers in their time of need, demonstrating on a broader scale how caring counts®.

Now that the transaction has closed, we can move forward with integrating the Sedgwick and York organizations into a unified team. You will hear more in the coming weeks regarding the details of our brand transition plans.

While many changes lie ahead for Sedgwick, our focus is clearly on our clients. Our top priority is ensuring that the programs we administer continue to produce outstanding results. We are fully committed to seamlessly providing those we serve with the exceptional support they have come to expect.

More details about today's news can be found in our press release, available [here](#). As always, please contact your Sedgwick client services representative if you have any questions. Thank you for your continued partnership.

Best regards,



Dave North  
President and CEO

Connect with us



*Celebrating 50 years and looking toward the future of caring*



## **Sedgwick completes acquisition of York Risk Services Group**

**MEMPHIS, Tenn.,** Sept. 4, 2019 – Sedgwick, a leading global provider of technology-enabled risk, benefits and integrated business solutions, today announced the completion of its purchase of York Risk Services Group, a premier provider of claims administration, managed care, specialized loss adjusting, pool administration and loss control solutions.

York's customized claims solutions and specialized expertise complement and enrich Sedgwick's market capabilities. The strategic acquisition brings to Sedgwick approximately 5,000 highly skilled professionals serving a variety of clients, including corporations, the insurance industry and public entities. With the close of the acquisition, the Sedgwick family now comprises nearly 27,000 colleagues across 65 countries.

"The York acquisition marks another milestone in our storied half-century of growth," said Sedgwick president and CEO Dave North, referencing the company's 50th anniversary in 2019. "Joining forces with York enhances Sedgwick's position as a global industry leader. Together, we'll have the capacity to support more customers in times of need; taking care of people is at the heart of everything we do, because caring counts."

"Integrating our two companies' expertise and capabilities will enhance our service offerings, bring us into new markets, and present exciting growth opportunities for our talented colleagues," said Thomas Warsop, chairman and CEO of York. "This union is great news for the industry and for all our valued stakeholders."

As part of the transaction, entities controlled by Onex Corporation (TSX: ONEX), an investment manager founded in 1984 that owned York, are rolling their equity into the combined business and join Sedgwick's shareholder group as a minority investor.

BofA Merrill Lynch and Morgan Stanley & Co. LLC served as financial advisors to Sedgwick, and Simpson Thacher & Bartlett LLP and Clifford Chance US LLP served as legal advisors. Jefferies LLC and J.P. Morgan Securities LLC served as financial advisors to York, and Fried, Frank, Harris, Shriver & Jacobson LLP served as its legal advisor. BofA Merrill Lynch and Morgan Stanley Senior Funding, Inc. acted as joint lead arrangers on the incremental debt for the transaction.

### **About Sedgwick**

Sedgwick is a leading global provider of technology-enabled risk, benefits and integrated business solutions. The company provides a broad range of resources tailored to clients' specific needs in casualty, property, marine, benefits and other lines. At Sedgwick, caring counts<sup>®</sup>; through the dedication and expertise of nearly 27,000 colleagues across 65 countries, the company takes care of people and organizations by mitigating and reducing risks and losses, promoting health and productivity, protecting

brand reputations, and containing costs that can impact the bottom line. Sedgwick's majority shareholder is The Carlyle Group; Stone Point Capital LLC, Caisse de dépôt et placement du Québec (CDPQ), Onex and other management investors are minority shareholders. For more, see [www.sedgwick.com](http://www.sedgwick.com).

###

**Media contacts**

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Maria Conry, chief marketing officer, York | +1 614-789-3754 | [maria.conry@yorkrisk.com](mailto:maria.conry@yorkrisk.com)



BACK TO AGENDA

Northern California Cities Self Insurance Fund  
Claims Committee Meeting  
September 26, 2019

**Agenda Item I.**

## **ROUND TABLE DISCUSSION**

### **INFORMATION ITEM**

**ISSUE:** The floor will be open to the Committee for discussion.

**RECOMMENDATION:** None.

**FISCAL IMPACT:** None.

**BACKGROUND:** The item is to the Claims Committee members for any topics or ideas that members would like to address.

**ATTACHMENT(S):** None.