

Subj: **Eskel Solomon: LADWP mugged our dog; three unanswered questions**
Date: 4/3/2015 5:41:38 P.M. Pacific Daylight Time
From: SCMarkoff@
To: [Eskel Solomon@](mailto:Eskel.Solomon@)
CC: greg.adams@

Mr. Solomon,

Thank you for your email, and for confirming that you have kept LADWP Chief of Staff Guy Lipa and General Manager Edwards advised of this matter.

1. I think that the position in your email that even though your LADWP employee entered our posted [no trespassing] property without an appointment and struck and bloodied our dog, was in your view "no damages" suggests a callousness for the abuse to our dog and perhaps the abuse of animals of your other customers.

2. Logically, it would seem that if you have 1.6 million customers, v. say 1,000 customers, there would be more of a compelling reason to fix a bad and dangerous policy with more customers than a few because using simple math suggests that there would be many more incidences (dogs beaten up) if you had more customers v. a few.

It would have at least been straightforward if you had written:

"Our LADWP entrance policy is that our employees can enter our customers posted [no trespassing] property unannounced and/ or without an appointment whenever they feel they need to, and if they so enter, and a dog or other animal then approaches them in a frightening manner our employees can beat that dog or animal".

If it's true that you won't change your "entrance policy" because you have so many customers, you might review your policy of revising your policies.

3. In my last email to you of 3-12-15, I asked for three things that I still am requesting an answer to:

A. What instrument did your employee hit our dog with, on August 29, 2014?

B. Was that instrument authorized and within your policies, practices and procedures?

C. How many times, if any, in 2012, 2013, 2014 have LADWP employees stuck dogs at the homes of your customers?

Respectfully,

Steven C. Markoff

Dear Mr. Markoff:

I am the supervising Deputy City Attorney of the LADWP Civil Litigation Group, which includes DCA Greg Adams with whom you have been communicating.

I have reviewed and approved all responses to you. I have kept both LADWP Chief of Staff Guy Lipa and General Manager Marcie Edwards advised regarding this matter. I assure you that this matter has had the attention of Department management staff. I have again discussed this matter with Mr. Lipa, including your recent emails. We had both hoped to satisfy your concerns with his January 5, 2015 letter.

There are no damages to base any payment by the Department, including the \$1,000 you request. With no damages any payment is a gift of public funds, whether or not the money is donated to charity.

With 1.6 million customers, it is not practicable to change our entrance policy, a fact addressed in the January letter.

With regard to the remainder of your requests, please be advised that the Department will continue to train our meter readers regarding interaction with dogs. It is not our intent or desire that anyone, including our employees, the public, or any dog, be injured.

It is the Departments opinion that at this point we have committed sufficient staff time and resources toward addressing your concerns.

Let his letter represent a final correspondence on behalf of the Los Angeles Department of Water and Power on this matter which we now deem as closed. Thank you. EHS.

DCA Eskel H. Solomon

111 North Hope Street, Room 340

Los Angeles, CA., 90012

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