



San Diego City Attorney Mara W. Elliott

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City Attorney Protects Taxpayers As Juries Reject Millions in Lawsuit Claims

A jury on Thursday found that a San Diego fire engineer had been lawfully precluded from performing paramedic duties because he would pose public-safety and liability risks if allowed to return to paramedic service.

Deputy City Attorney Kristin Zlotnik defended the City against the lawsuit, in which fire engineer Steve Choi alleged he was being denied a pay-grade enhancement because of racial discrimination. Zlotnik presented evidence that when Choi was in the paramedic service he had made critical mistakes in critical circumstances, including violations of medical standards and failures in judgment.

Choi sought nearly \$900,000 in damages – including \$700,000 in emotional damages – in a Superior Court trial that took six days.

The verdict follows another victory for the City Attorney's Office in a Federal Court case where a jury vindicated a San Diego police officer in an excessive-force lawsuit.

That suit was filed by the widow of Victory Ortega, who was shot in a scuffle for a loose gun after his wife called police to their home because Ortega was battering her.

Deputy City Attorneys Keith Phillips and Casey Sweda defended the City in that lawsuit, in which plaintiff Shakina Ortega asked the City to award her \$7 million in damages for the loss of her husband, who had a history of domestic violence.

“Each time we successfully protect taxpayers from meritless lawsuits, we can direct additional resources to neighborhood services that improve our quality of life,” City Attorney Mara Elliott said. **“These verdicts cement the confidence I have in juries to separate fact from fiction and deliver just results.”**

During the trial in *Steve Choi vs. City of San Diego*, the City's Medical Director, Dr. James Dunford, and former Fire Chief Javier Mainar testified that Choi was removed from paramedic service in 2004 based on unsatisfactory performance that persisted even after additional training. Other Fire-Safety Department officials testified that Choi failed to take personal responsibility for his substandard skills and critical mistakes made before and after re-training.

Deputy City Attorney Hannah Girer-Rosenkrantz assisted Zlotnik in the Choi trial.

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