

ELLEN JASEG



Cave-in at Echo Park Site Kills Construction Worker

A 30-year-old construction worker was killed Wednesday when he was buried by a cave-in at a construction site in Echo Park. Jesus Flores of El Monte was helping to dig foundations for an apartment house at 1416 W. Sunset Blvd. when part of a hillside caved in on top of him, said Los Angeles Fire Department spokesman Jim Williamson. Flores was knocked face down and buried under more than two feet of earth. Fellow workers tried feverishly to clear Flores' face. Paramedics, above, who arrived a few minutes later, helped to clear the earth away to chest level and tried to revive him without success. Fellow worker Eddie Perla, left, was there when Flores died. "I thought he'd made it because he was beating at the dirt," Perla said. The district attorney's office and the California Occupational Safety and Health Administration are investigating.

12

AUTOPSY REPORT

No. 87-00273¹

I performed an autopsy on the body of



FLORES, JESUS

at the DEPARTMENT OF CHIEF MEDICAL EXAMINER-CORONER

Los Angeles, California

on JANUARY 8, 1987 @ 1200 HOURS

(Date)

(Time)

From the anatomic findings and pertinent history I ascribe the death to:

(A) ASPHYXIA FROM SUFFOCATION

DUE TO OR AS A CONSEQUENCE OF

(B) BODY COMPRESSION (BURIED IN DIRT)

DUE TO OR AS A CONSEQUENCE OF

(C) COLLAPSE OF HILLSIDE DIRT WALL

OTHER SIGNIFICANT CONDITIONS-

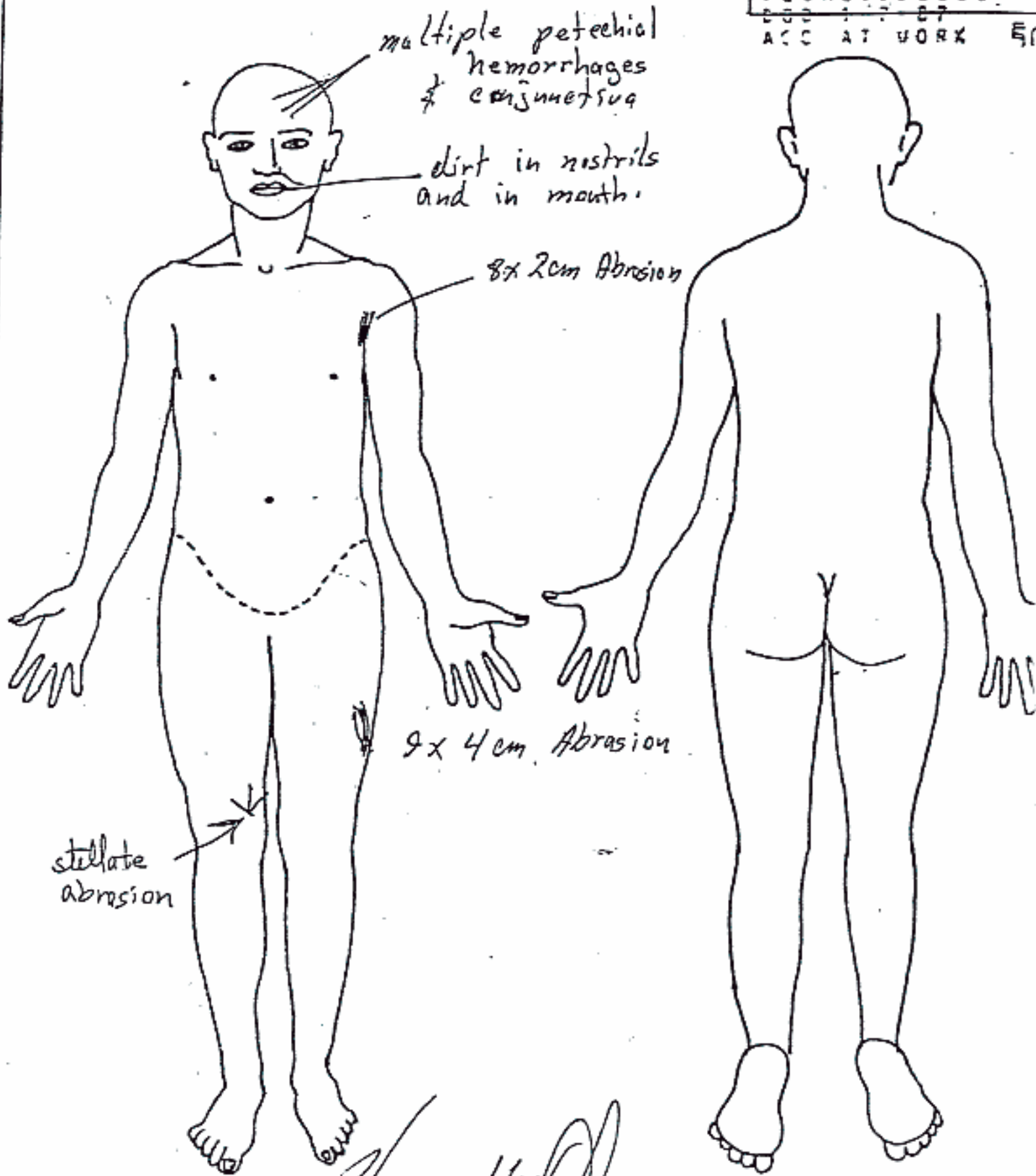
Anatomical Summary:

I. Asphyxia due to body compression.

- 1) Petechial hemorrhages, conjunctive
- 2) Abrasions body surface

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87-00273
FLORES, JESUS
ACC AT WORK E



[Signature]
M.D., Deputy Medical Examiner

Report of Toxicologica Analyses
 Department of Chief Medical Examiner-Coroner
 County of Los Angeles

01/21/87

TO: , M.D.

FROM: Forensic Toxicology Laboratory
 Forensic Science Laboratories Division

SUBJECT: Coroner's Case Number 87-00273 FLORES, JESUS

In accordance with your request, toxicological analyses have been performed and are now completed on the subject case as tabulated below

Tissue	Analyses Requested	Drugs Analyzed	Level Found	Assigned Toxicologist	Date Analyzed
Blood	†				
Blood	Alcohols	Alcohols	NEG	R. Budd	01/20
Blood	Barbiturates		ND	J. Muto	01/20
Blood	Cocaine	Cocaine	ND	J. Muto	01/20
Blood	Cocaine	Benzoyllecgonine	ND	J. Muto	01/20

LEGEND:

ND = Not Detected
 UG/ML = Micrograms per Milliliter
 QNS = Quantity Not Sufficient
 UG/G = Micrograms per Gram

NEG = Negative
 G% = Gram Percent

JOSEPH J. MUTO
 SUPERVISING FORENSIC TOXICOLOGIST

LOS ANGELES COUNTY DISTRICT ATTORNEY
BUREAU OF INVESTIGATION

INVESTIGATOR'S REPORT

REPORT MADE BY: M.L. GILLUM #9 Sr. Investigator	DATE: 12-18-87	CHARGE: 192 P.C.	FILE NO. 87-G-0022
SUSPECT: G.A.L. Construction	COMPLAINANT: JAN CHATTEN-BROWN Special Assistant D.A.		VICTIM: JESUS FLORES

SYNOPSIS OF FACTS:

Case opened 1-7-87. Date of last report 12-17-87. Soil technician Wittry interviewed, stated he observed bedding planes at construction site in mid December 1986. Notified Hu of same, was told Hu would take care of it.

- Pending -

DETAILS:

On December 17, 1987 Investigator Gillum interviewed James David Wittry, 552 S. Euclid Apt #5, Pasadena, CA. Telephone (818) 795-9676. CDL #N2400509.

Mr. Wittry stated that he is employed by Hu & Associates as a soil technician and has been so employed for 3 1/2 years. As a soil technician his duties take him both to the field and the office. In the field he does compaction testing and occasionally inspects footings. Although it varies he is currently in the field 80% of the time and in the office 20%, however, it use to be 50 50. When in the office he does drafting, subprofessional calculations, and assists in report writing. In the drafting portion he draws locations, plot plans, and cross sections to show sub-surface conditions. The subprofessional calculations deal mostly with density and moisture testing. With respect to report writing, he writes the verbage, obtains the calculation data and bearing values from the engineers and submits it to Hu.

The reports prepared at Hu & Associates can be divided into two categories: preliminary soil investigation reports which has a case number attached with a -1, and field progress (compaction) report which has a case number with a -6 (1741-1 or 1741-6). When the field data is obtained, it goes to the engineers who write the reports. Reports are then submitted to Dr. Hu, for review. All reports are submitted to Hu for review.

Wittry stated that although he studied geology at USC he is not a registered geologist or a registered engineer. Sometimes he is referred to as an engineer because as a soil technician sometimes individuals will refer to him as a field engineer.

DISTRIBUTION:

- 1 - Case File
- 1 - Control File
- 1 - Bureau

Mr. Wittry stated that relative to the construction site at 1411 Sunset Blvd. he was at that location once prior to the death of Jesus Flores (1-7-86) and that was in mid December 1986. On that occasion he was paged or called to the office (he can't remember which) and asked to go to the site and check the excavation. He was not exactly clear as to what he was suppose to do, but he went to the site. Upon arrival at the site he noticed that excecavation was in progress and that the excavation people were exporting soil. He observed a cut of one to two feet deep. He was also there to pick up a bag sample for subsequent lab testing. While at the site he spoke to Abe (Robert Ings) about a recommendation from _____ concerning the west property line. Abe appeared to be dissappointed that Wittry had come out to the site instead of Dr. _____. His concern was about going offsite with his equipment to make the excavayation. Wittry stated that he needed a letter from _____ as to how to proceed. Abe and Wittry walked the site and discussed the east side which according to Wittry seemed to be reasonably stable and the north side which appeared to have somewhat of a problem due to the fact that there was an exposed south dipping bedding plane. This bedding plane was made of shale which is a sedimentary bedrock material which Wittry said is analogous to a deck of cards which has a well defined appearance. Wittry told Abe that he would consult with Dr. _____ and notify him of his findings.

Ings was asking for a recommendation relative to the west side of the construction site, but does not remember if he asked for a recommendation relative to the north side. Wittry went back to the office that day and had a conversation with Dr. _____. They talked about the west property line and the stone wall there, and the northside relative to the bedding plane. _____ told Wittry that he would take care of it and took over the project from that point.

Wittry had not been involved with this project until he was called out in mid December of 1986. Wittry did not write any of the reports relative to this construction site

After his mid December 1986 trip to the site, Wittry observed the schedule board/calendar and noted that _____ had several appointments at that site between mid December 1986 and January 7, 1987. He is not certain whether Hu or someone else went to that site, but there were scheduled appointments.

This is the only time that Wittry had been to that site prior to the death of Jesus Flores. Since that date he took over the soil responsibilities in November of 1987. Wittry stated that all the necessary permits have been obtained now and they are in the process of shoring the various cuts. Wittry further stated that cuts had been made at a 45 degree angle which took care of the bedding plane, adding that this should have been done a year ago.

Mr. Wittry was shown a report dated November 17, 1986 signed by Dr. _____ relative to a construction site at 1314 Sunset Blvd. which cites a geologic study indicating that there was bedrock strata dipping toward the south and southwest at a 23 - 30 degree angle. Mr. Wittry stated that the signature looked like _____'s, and that _____ should have or could have known that there was a bedding plane at the 1411 Sunset Blvd. based on that report and that fact that _____ has a geologic map of the Elysian Hills area in his office. Wittry further stated that _____ has consulted those geologic maps on projects in which Wittry has been involved in. On those geologic maps bedding planes are marked with a strike and dip symbol. Wittry further stated that although there were bedding planes present at the 1314 Sunset Blvd. construction site that the nature of bedding planes are such that you might find them at one location and not necessarily at the next. In other words bedding planes are not necessarily consistent. This is because of a folding or faulting.

Wittry further stated that when bedrock is encountered it is normal to consult with a geologist.

- ending -

1 On January 7, 1987, the victim was working at the site under the supervision
 2 of G.A.L. foreman, Michael Berry, cleaning out trenches that were to be used
 3 for concrete footing. There was dirt in the trenches because the night before
 4 it had rained, causing dirt from a 14' vertical cut to the north of the trenches to
 5 slide into trenches. At approximately 10:00 a.m., a portion of the 14' embankment
 6 collapsed, burying and killing the victim, Jesus Flores. On January 8, 1987, an
 7 autopsy was performed on the victim by Dr. Lakshmanan Sathyavagiswaran., M.D.,
 8 Senior Deputy Medical Examiner, determining that the cause of death was asphyxia
 9 from suffocation due to body compression (Exhibit E).

10 An investigation of the circumstances of Mr. Flores' death was conducted
 11 by Cal/OSHA Safety Engineer Norbert Cazenave, resulting in G.A.L. being cited
 12 for five safety violations, as follows:

13	<u>Violation</u>	<u>Description</u>	<u>Type of Citation</u>
14	8 CAC 1511(b)	Failure to identify predictable hazards and necessary safeguards.	General
15	8 CAC 1540(d)	Failure to provide additional bracing or other effective safety provisions at excavators adjacent to superimposed loads.	General
16	8 CAC 1511(a)	Allowing work in an unsafe place	Serious
17	8 CAC 1515(a)	Failing to provide head protection against falling objects.	Serious
18	8 CAC 1540(d)	Allowing an employee to enter an excavation 5 feet or more in depth not protected by shoring, sloping, benching, or other alternate means.	Repeat Serious

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 26 Mr. Cazenave also stated in his report that Mr. Berry, the G.A.L. foreman, was aware that the shoring or sloping should have been in use at the time of the incident but that if his men did not do the job, somebody else would. A copy of the Cal/OS'

1 Mr. Hu's first report, dated 9-9-85, reveals that borings taken at 1411 Sunset Blvd.
2 found fine, silty, weathered, siliceous shales (Exhibit G). Los Angeles City Department
3 of Building and Safety, upon reviewing that report, requested an addendum report
4 due to their concern about to the stability of the proposed vertical cut (Exhibit
5 H). Mr. Hu prepared the addendum report, dated May 21, 1986 (Exhibit I). According
6 to his calculations, a temporary vertical cut of 23.5 feet, without any shoring,
7 would stand. The calculations that he used to support his findings were based
8 on the cut being made in homogenous sandstone, which is a different type of material
9 than the weathered siliceous soils found.

10 After the failure of the embankment, Mr. Hu's reports were reviewed
11 by several experts, all of whom found the reports deficient. Your affiant took
12 Mr. Hu's reports and showed them to Mr. Victor Martinez, a registered geo-technical
13 engineer for the Los Angeles Department of Public Works, the Land Development
14 Division and asked for his opinion. Mr. Martinez prepared a letter, (Exhibit J),
15 with his findings.

16 Mr. Martinez's report includes the following findings: Some borings
17 should have been taken on the north side outside the perimeter of where the building
18 was to be located, at a maximum depth of the excavation; 2) the soil report did
19 not identify the interbedded silt stone that was evident at the banks in the excavation;
20 3) Hu's calculations to determine the theoretical depth of a vertical cut without
21 bracing was based on the sandstone strength and did not account for potential
22 bedding failure of the silt stone; and 4) Mr. Hu's report did not account for instability
23 along the slope of the bedding planes in the event of seismic event or lubrication
24 by water which includes rain.

25 Your affiant also showed Mr. Hu's report to David Hsu, soils engineer,
26 Department of Building and Safety City of Los Angeles. Mr. Hsu provided some

1 conclusions: 1) at the site, some of the excavated dirt was placed on top of the
2 vertical cut, thereby adding a surcharge or extra weight to the cut area; 2) the
3 cut had been undermined, and 3) that there was an unsupported bedding plane.
4 These were potentially dangerous conditions.

5 Mr. Hsu stated that there were three recommended methods whereby
6 this danger could be eliminated: one was to have the vertical cut shored up, or
7 use a slot cut. A third alternative was to cut back the slope to a one to one gradient,
8 or 45 degree angle. The dirt that eventually slid into the trench would have been
9 pulled back away from the vertical cut, thereby eliminating the problem. Mr.
10 Hsu stated that these recommendations would result in substantial additional costs,
11 and the shoring would require permits and plan reviews.

12 Your affiant contacted the California State Board of Registration
13 for Professional Engineers and Land Surveyors and determined that they had received
14 a letter dated May 26, 1987 from Mr. Kovacs of Kovacs - Byer and Associates,
15 a geotechnical engineering firm. Mr. Kovac's letter outlined his views that Hu
16 was incompetent, based on the following: 1) that when bedrock was encountered
17 at an excavation site in a hilly area, it is normal practice to contact an engineering
18 geologist, and this was not done; 2) Hu failed to recognized the presence of bedded
19 silt stone and shale common to this area of Los Angeles; 3) Dr. Hu's calculations
20 were in error and he failed to recognize the bedded nature of the material, failed
21 to recognize that tension cracks developed on the slope, and failed to recognize
22 that there was a surcharge in the slope (Exhibit K).

23 Prior to the fatality, a number of incidents occurred which gave notice
24 of the hazard to representatives of the various corporations whose premises we
25 seek to search. On at least one prior occasion, Cal/OSHA has questioned unshored
26 vertical cuts at sites where G.A.L. was working when such cuts were justified

1 by soils reports prepared by Richard Hu (Exhibit L). On December 5, 1986, Robert
2 Ings, of Ings Excavation company, started excavation on the site. On December
3 13, 1986, Ings encountered soil that was not of the type assumed to exist in the
4 calculations in the soil report from Hu and Associates, but which was the type
5 reported from the borings. He also became concerned that there were bedding
6 planes that angled toward the excavation area at approximately a 45 degree angle.
7 Ings contacted Mr. Lowe, of G.A.L., and Mr. Tan of Panda Construction. In the
8 presence of Ings, Lowe called Mr Hu. Hu stated that he would send somebody
9 to the site the next day to investigate. On December 14, 1986, an as yet unidentified
10 representative from Hu's office came to the site. After examining the exposed
11 excavation cut, the representative stated that he would inform Hu of his findings
12 and would contact Ings if there was any change in the plan. Ings at the time inquired
13 of Tan, Lowe, and the representative from Hu if they wanted him to "chase the
14 bedrock plane." That would have involved moving the dirt on top of the bedding
15 plane, which is at a 45 degree angle toward the hole, thereby making the excavation
16 cut much more stable. Ings was told to continue his normal work until further
17 notification. Ings stated that he was never notified of any change in excavation
18 plans.

19 On December 18, 1986, Hu came out and inspected the job site, including
20 the area that failed and caused the slide or cave-in, killing the victim. Mr. Hu
21 was with Mr. Lowe, from G.A.L., who told Mr. Ings to hurry up with the excavation
22 in order to protect the permit, which was about to expire. This was approximately
23 one week after the excavation had been made, leaving the bedding plane clearly
24 exposed for observation. According to soils expert Martinez and City Civil Engineer
25 Mahdi Aluzri, it would have been impossible for Mr. Hu to have not seen the bedrock.

26 On January 7, 1987, at approximately 7:00 a.m., G.A.L. foreman, Mike

1 Berry, arrived at the site. He noticed that the footings located near the excavated
2 hillside needed to be cleaned out of loose dirt which had fallen, apparently from
3 the rain the prior night. On noticing the soil he contacted his boss, Gil Loya, and
4 informed him that he needed extra men to clear the footings out. A short time
5 later, a soil inspector from Hu and Associates arrived at the location and began
6 testing the soil with a probe.

7 Los Angeles City Building and Safety requires a soils report as a prerequisite
8 to construction within their jurisdiction on a project such as this. On February
9 28, 1986, the Hu soils report was submitted to the City, along with an application
10 for review for technical reports (Exhibit G). The soils report shows Hu's address
11 as 11955 E. Rivera Rd., Santa Fe Springs, CA. This indicated that Rich Robins,
12 Inc. was the owner of the property, and that Tri Huy Tran was the applicant. Tri
13 Huy Tran is an employee of Samuel Cheng and Associates. The application lists
14 the address for Rich Robins, Inc. as 3001 Scotland Street, Los Angeles, California.
15 The address for Tri Huy Tran is 808 N. Spring Street, #505, Los Angeles, California.
16 Rich Robins, Inc. is owned by Samuel K.Y. Cheng, who has an office at the Spring
17 Street address, room 505.

18 On 7/7/86, the City approved the application for grading subject to
19 numerous conditions. However, between that time and the time of the fatality,
20 several stop work orders and orders to comply were issued to principals at the
21 site. The principals worked over these orders.

22 One of the conditions imposed at the time of approval of the grading
23 permit was that a supplemental report be submitted to the grading division containing
24 recommendations for shoring, underpinning, and sequence of construction if any
25 excavation would remove the lateral support of the public right away or adjacent
26 structures (Exhibit M). The general approval to commence a project requires that

1 each phase of the project be inspected and approved before the next phase could
2 begin, e.g., grading, excavation, footings, plumbing, electrical, etc.

3 On December 5, 1986, Joseph Kirkpatrick, grading inspector for the
4 City of Los Angeles, went to the site. Upon arrival he observed a crew working
5 there. After preliminary inspection he determined that the contractor at the
6 site did not have the necessary permits at the site, as required. He immediately
7 served the grading contractor with a stop work order, and instructed him to shut
8 down the work site (Exhibit N). On December 8, 1986, Kirkpatrick again visited
9 the site. After reviewing the soil report he did not approve the permit. He didn't
10 feel the report was adequate to allow commencement of grading, and he was concerned
11 about lateral support. He issued a correction notice to the grading contractor,
12 and required an addendum soil report (Exhibit O). This report was to address the
13 northern and western excavations along those property lines. No work was to
14 be done until those reports were prepared. As of January 7, 1987, the date of the
15 fatality, the City Building and Safety Department, had not received the requested
16 report.

17 On December 16, 1986, Los Angeles City Building and Safety grading
18 inspector Forbus issued another correction notice (Exhibit P), requiring all excavation
19 to stop along the westerly property line and to provide an addendum report from
20 the soil engineer with recommendations to be reviewed and approved by the grading
21 division. According to Berry, on December 31, 1986, Forbus inspected the Sunset
22 job site and refused to approve the excavation due to a lack of written agreement
23 between the owners of the property to the west.

24 Calvin Tan had considerable knowledge of conditions on the site. According
25 to Mr. Ing, he showed the stop work order to Calvin Tan. Berry stated that Tan
26 was at the location daily. On January 3, 1987, Mr. Loya was present on the job

1 site. According to Berry at that time Loya observed employees working and was
2 aware that the excavation had not been approved.

3 Samuel Cheng, the President of Rich Robins, Inc., and part owner of
4 the property, was aware of activities on the site. According to Mr. Ings, Samuel
5 Cheng, was at 1411 Sunset Blvd. daily; Cheng's representative provided Ings with
6 the permits; Cheng was aware of the stop work order to Rich Robins on 12/16/86,
7 and failed to comply with it.

8 On January 6, 1987, Inspector Forbus received a telephone call from
9 a foreman at the construction site, requesting an inspection of the grading. Mr.
10 Forbus was aware of the stop work order. Upon arrival at the location, Forbus
11 observed that the grading had been done and the footings for the concrete work
12 were in place. The footings should not have been poured since the gradings had
13 not been approved, and that there was a stop work order issued at the site. He
14 showed the stop work order to Mike Berry the foreman, and to Mr. Ings the excavator.
15 Forbus observed the footings were full of water from rain that had previously
16 fallen. After inspecting the grading, Mr. Forbus did not approve the permit. He
17 was concerned that conditions could possibly cause damage to the adjoining property
18 line.

19 On January 7, 1987, Mr. Forbus received a telephone call at 7:15 a.m.
20 from the 1411 Sunset Blvd. site foreman. The foreman indicated that he called
21 Inspector Borzi to inspect the footings and obtain permission to pour the concrete.
22 Borzi had told him that since grading had not been approved, he would not allow
23 the concrete to be poured. The foreman wanted Forbus to call Borzi, so that the
24 footings could be poured. Forbus advised the foreman that he would not do so
25 until the grading conditions were complied with.

26 On January 7, 1987, Inspector Borzi, while working in the field, stopped

1 by 1411 Sunset Blvd. at approximately 10:00. After exiting his vehicle, he observed
2 the eastern portion/vertical cut of the collapse and bury one of the workers. He
3 immediately ran down to the location of the cave-in and began helping the other
4 workers dig out Jesus Flores.

5 After the fatality, a search of the Cal/OSHA files revealed G.A.L.
6 Concrete Construction has received at least 40 citations for violations at 10 different
7 construction sites, prior to the death at the Sunset Blvd. work site. These citations
8 included: 1) repeat citations for failure to have a code of safe work practices; 2)
9 violations for a vertical wall that was not properly sloped at 300 S. Garfield on
10 3/22/84; 3) overhanging banks and excavations not inspected after rainstorms,
11 at 1402 Pacific Coast Highway on 12-10-85; and 4) an unshored excavation at the
12 625 E. Santa Anita Ave., Burbank, California location on June 3, 1986. A summary
13 of Cal/OSHA citations is attached as Exhibit Q. It should be noted that Cal/OSHA
14 has not maintained any records of G.A.L. prior to August 1983.

15 Messrs. Loya, Lowe, and Berry are familiar with Cal/OSHA rules and
16 regulations as they have been served with citations and/or have completed the
17 employer's report of corrected conditions. Berry was the G.A.L. foreman; 1) on
18 3/26/84 when G.A.L. was cited for supervisor's failing to identify and correct hazards;
19 2) on 12/10/85, when G.A.L. received a serious citation for allowing an excavation
20 with an overhanging bank; and 3) received a repeat general citations for failing
21 to have a code of safe work practices.

22 Lowe signed the employer's report of corrected condition for violations,
23 including the absence of a code of safe work practices, on 8/30/83; he was present
24 at the closing conference when G.A.L. received a serious citation for allowing
25 a vertical cut that was not shored or sloped, a violation which was observed on
26 3/22/84; and signed the employer's report of corrected condition for a forklift

1 violation observed on 4/15/86. Loya was present at a 2/22/84 inspection that resulted
2 in citations for failure to have an erection plan by a registered engineer at the
3 job site; having a defective skill saw guard; and failing to properly shore the braces
4 to hold precast concrete walls. An order prohibiting use, which is a like a stop
5 work order, was issued to Mr. Loya.

6 On November 10, 1987, your affiant went to 9736 E. Garvey, So. El
7 Monte, the address listed as for G.A.L., and found that G.A.L. has moved. A neighbor
8 informed your affiant that G.A.L. had moved to Giovane St., just east of Madrid
9 in El Monte.

10 Your affiant went to the 10000 block of Giovane St. and observed a
11 two story commercial business type building on an otherwise residential block,
12 which he believed to be the new location of G.A.L. He did not observe any street
13 numbers on the building.

14 On November 12, 1987, your affiant called G.A.L. at (818) 443-3983
15 and spoke to a male voice who stated tht G.A.L. was now located at 10026 Giovane
16 St., El Monte, California.

17 On November 24, 1987, your affiant contacted the letter carrier, United
18 States Postal Service, who delivers mail for the 10000 block of Giovane (Jerry).
19 Jerry stated that G.A.L. Concrete Construction is at 10026 Giovane St., and described
20 the building, as the only two story commercial building in that block. He added
21 that the building has a wall/fence around it, and that he must blow the horn of
22 his vehicle to gain entrance.

23 Documents in our case file along with Exhibits R, and S indicate Panda
24 Development Company is located at 658 West Garvey, Monterey Park, California.
25 The listed telephone number (818) 284-6939. On November 25, 1987, your affiant
26 contacted Norbert Cazenave, formerly with Cal/OSHA, who stated that Panda

1 Development Company was located at 658 West Garvey. This information was
2 obtained from one of the owners, a Ken Whu, who was present at a hearing with
3 Cal/OSHA at their office on May 20, 1987. On November 25, 1987, your affiant
4 checked the reverse directory for the telephone number and found it was listed
5 to R&G Products Company located at the 658 West Garvey address. On November
6 30, 1987, your affiant placed a phone call to that location. Information received
7 from that phone call indicated that 658 W. Garvey, Monterey Park is the business
8 address for Panda Development Company.

9 Documents in the file and Exhibit N indicate the address for Rich Robin
10 Inc. is 3001 Scotland Street, Los Angeles, California. Your affiant observed this
11 location to be a residence and on making several phone calls to the number listed
12 663-1043 found the phone was not answered during normal business hours. Your
13 affiant had a call placed to Samuel Cheng, Architect, at 617-0310. Information
14 received from that phone call indicated that even though this was the business
15 of Samuel Cheng Architects, that Samuel Cheng was the owner of Rich Robin
16 Inc., and that the Scotland Street address was his residence, that he does business
17 at both the Scotland Street address and the 808 N. Spring Street, #505 address.
18 Further, that business correspondence should be sent to the 808 N. Spring Street
19 address.

20 Based on your affiant's experience in executing over fifty search warrants,
21 in which business records or related documents were sought, he has found the businesses
22 keep records for many years. These records are commonly kept on the premises.
23 The construction at 1411 Sunset Blvd., Los Angeles, is not yet completed, which
24 is another reason for keeping the records sought, and because of the above, your
25 affiant believes the items sought can and will be found at the above-listed locations.

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Based upon my investigation, your affiant concludes there is probable cause to believe that suspects committed an act of involuntary manslaughter in violation of Penal Code Section 192, in that they were grossly negligent in their conduct as it relates to the death of Jesus Flores at 1411 Sunset Blvd.

AG
B-101
LOT:



ASSOCIATES

GRADING ENGINEERING CONSULTANTS

119 JOB ADDRESS: SANTA FE SPRINGS, CALIFORNIA 90670 • TELEPHONE (213) 696-6062 (213) 693-6114

May 21, 1986
HA-1741-1

JOB ADDRESS: 1411 SUNSET BLVD.
LOT: 9 #10
BLOCK: 2
TRACT: 4-10-1 WEST HTS.

Mr. Samuel K. Y. Cheng, A.I.A.
808 North Spring Street, Suite 505
Los Angeles, California 90012

SUBJECT: Addendum to "Preliminary Soil Investigation Report" dated September 9, 1985
Proposed Retail Shop Building
1411 Sunset Boulevard
Los Angeles, California

Dear Mr. Cheng:

Attached herewith are calculations of vertical cut for temporary construction purposes as requested by the Grading Division, Department of Building and Safety, City of Los Angeles in their letter dated March 22, 1986.

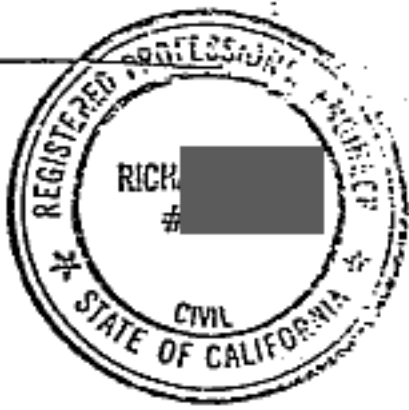
Calculations presented on Plate 1, attached are based on shear strength parameters shown on Plate A-5 of the original report. The results indicate that the maximum height of a vertical cut with a factor-of-safety of 1.5 is 23.5 feet which exceeds the maximum depth of the proposed cut.

Respectfully submitted,
HU ASSOCIATES

Richard E. [Redacted]
Richard E. [Redacted] PhD.
RCE 29285

REH/hh

(3) Addresses



Theoretical depth of a vertical cut will stand in a cohesive soil without bracing.

$$H = \frac{4C}{\gamma \sqrt{K_a}} \quad , \quad K_a = \frac{1 - \sin \phi}{1 + \sin \phi}$$

Soil Parameters:

Cohesion, $C = 700$ pounds per square foot

Angle of Friction, $\phi = 31$ degrees

Wet Density, $\gamma = 115$ pounds per cubic foot

Use a factor-of-safety of 1.5

Coefficient of Active Pressure, $K_a = 0.478$

$$\begin{aligned} H &= \frac{(4)(700)}{(1.5)(115)(\sqrt{0.478})} \\ &= \frac{2800}{119.3} \\ &= \underline{23.5'} \end{aligned}$$

Proposed Retail Shop Building
1411 Sunset Boulevard
Los Angeles, California