



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified Claim(s) Against the City of Lodi

MEETING DATE: January 21, 1998

SUBMITTED BY: Human Resources Director

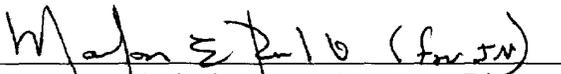
RECOMMENDED ACTION: To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- | | |
|-----------------------|---------------|
| A) Catelli, Tony | DOL: 06/08/97 |
| B) Clark, Kathryn | DOL: 07/19/97 |
| C) Cantaloupi, Donald | DOL: 11/14/96 |
| D) Janecky, Richard | DOL: 10/31/97 |

BACKGROUND INFORMATION: Following review of the verified claims filed against the City of Lodi, the Risk Manager and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), recommend that the City deny the subject claims.

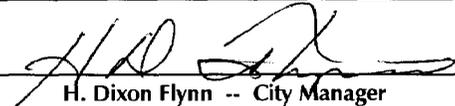
FUNDING: None required.

Respectfully submitted,


Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED: _____


H. Dixon Flynn -- City Manager

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
KEITH LAND,
Mayor Pro Tempore
STEPHEN J. MANN
PHILLIP A. PENNINO
DAVID P. WARNER

CITY OF LODI

CITY HALL
221 WEST PINE STREET, P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
HUMAN RESOURCES: (209) 333-6704
FAX (209) 333-6816

H. DIXON FLYNN
City Manager
ALICE M. REIMCHE
City Clerk
RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

January 21, 1998

Mr. Tony Catelli
c/o Law Offices of Brookman & Talbot
901 H Street, Suite 200
Sacramento, CA 95814-1879

RE: Claim against the City of Lodi
Date of Loss: June 08, 1997
Claim Number: 971120-25-970608-

Dear Claimant:

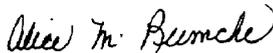
Notice is hereby given that the claim you presented to the City of Lodi on November 11, 1997, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Alice M. Reimche
City Clerk

cc: City Attorney
Risk Manager
Bill Benson, ICA

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Notice of Claim Rejection

January 21, 1998

Ms. Kathryn Clark (a minor)
c/o John H. McKinley
Law Offices of Brown, Hall & McKinley
3031 West Marck Lane Suite 230 West
Stockton, CA 95219

RE: Claim against the City of Lodi
Date of Loss: July 19, 1997
Claim Number: HR970819-22-970719-119

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on August 19, 1997, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,


Alice M. Reimche
City Clerk

cc: City Attorney
Risk Manager
Bill Benson, ICA

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City Attorney

Notice of Claim Rejection

January 21, 1998

Mr. Donald R. Cantaloupi, Jr.
c/o Lawrence R. Briscoe, Attorney at Law
8457 Treasure Avenue
Stockton, CA 95212

RE: Claim against the City of Lodi
Date of Loss: November 14, 1996
Claim Number: 970518-24-961114-320

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on May 18, 1997, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,


Alice M. Reimche
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cc: City Attorney
Risk Manager
Bill Benson, ICA

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City Attorney

Notice of Claim Rejection

January 21, 1998

Mr. Richard Janecky
1126 South Avena Avenue
Lodi, CA 95240

RE: Claim against the City of Lodi
Date of Loss: October 31, 1997
Claim Number: 971113-46-971031-106

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on November 13, 1997, is rejected as of the date of this letter.

Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

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Sincerely,



Alice M. Reimche
City Clerk

cc: City Attorney
Risk Manager
Bill Benson, ICA