



CITY OF LODI

COUNCIL COMMUNICATION

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

MEETING DATE: February 18, 1998

SUBMITTED BY: Human Resources Director

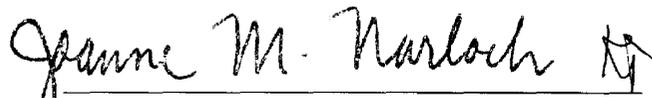
RECOMMENDED ACTION: To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- | | |
|----------------------------|---------------|
| A) Ebenezer Congregational | DOL: 09/10/97 |
| B) Bobian, John | DOL: 11/27/97 |
| C) Lopez, Anna (a minor) | DOL: 07/14/97 |
| D) Schultz, Paul | DOL: 12/23/97 |

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.

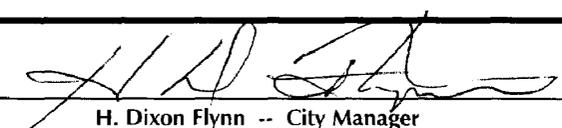
FUNDING: None required.

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

February 21, 1998

Mr. Walter Hein, Trustee
Ebenezer Congregational Church
1001 Brandywine Drive
Lodi, CA 95242

RE: Claim against the City of Lodi
Date of Loss: September 10, 1997
Claim Number: 970915-29-970910-118

Dear Claimant:

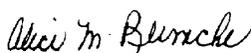
Notice is hereby given that the claim you presented to the City of Lodi on September 15, 1997, is rejected as of the date of this letter.

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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City Attorney

Notice of Claim Rejection

February 21, 1998

Mr. John Bobian
216 Flora Street
Lodi, CA 95240

RE: Claim against the City of Lodi
Date of Loss: November 27, 1997
Claim Number: 971203-50-971127-118

Dear Claimant:

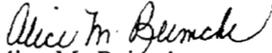
Notice is hereby given that the claim you presented to the City of Lodi on December 03, 1997, is rejected as of the date of this letter.

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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Notice of Claim Rejection

February 21, 1998

Miss Anna Lopez, a minor child
c/o David E. Blum, Esq.
Law Offices of Giffen & Barbieri
5150 Sunrise Blvd., #H-5
Fair Oaks, Ca 95628

RE: Claim against the City of Lodi
Date of Loss: July 14, 1997
Claim Number: 980106-05-970714-119

Dear Claimant:

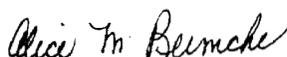
Notice is hereby given that the claim you presented to the City of Lodi on January 06, 1998, is rejected as of the date of this letter.

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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RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

February 21, 1998

Mr. Paul Schultz
1010 West Pine Street
Lodi, CA 95240

RE: Claim against the City of Lodi
Date of Loss: December 23, 1997
Claim Number: 980106-08-971223-440

Dear Claimant:

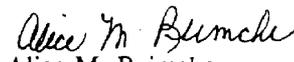
Notice is hereby given that the claim you presented to the City of Lodi on January 06, 1998, is rejected as of the date of this letter.

Warning

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Sincerely,


Alice M. Reimche
City Clerk

cc: City Attorney
Risk Manager
Bill Benson, ICA