



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi  
**MEETING DATE:** October 16, 1996  
**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) Brooks, Jeanette  
Date of Loss: 08/30/96
- B) DeGrandmont, Carol  
Date of Loss: 08/10/96
- C) Maciel, Michael  
Date of Loss: 06/20/96
- D) Smith, Joy  
Date of Loss: 08/10/96
- E) Subry, Gabe  
Date of Loss: 05/31/96
- F) Thompson, Dorothy  
Date of Loss: 06/26/96
- G) Wolfe, Geraldine  
Date of Loss: 06-20-96

**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

DAVID P. WARNER, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
RAY G. DAVENPORT  
STEPHEN J. MANN  
JACK A. SIEGLOCK

# CITY OF LODI

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

H. DIXON FLYNN  
City Manager  
JENNIFER M. PERRIN  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

October 16, 1996

Michael Maciel  
4836 Eastview Dr.  
Stockton, CA 95212

RE: Claim against the City of Lodi  
Date of Loss: 6/20/96  
Claim Number: 96-60

Dear Mr. Maciel:

Notice is hereby given that the claim you presented to the City of Lodi on August 21, 1996, 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,

  
Jennifer Perrin  
City Clerk

cc: Bill Benson

CITY COUNCIL

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## Notice of Claim Rejection

October 16, 1996

Jeanette Brooks  
8600 E. Live Oak Rd.  
Stockton, CA 95212

RE: Claim against the City of Lodi  
Date of Loss: 8/30/96  
Claim Number: 96-71

Dear Ms. Brooks:

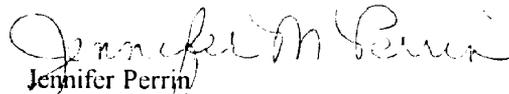
Notice is hereby given that the claim you presented to the City of Lodi on September 16, 1996, is rejected as of the date of this letter.

### 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,

  
Jennifer Perrin  
City Clerk

cc: Bill Benson

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City Attorney

## Notice of Claim Rejection

October 16, 1996

Carol DeGrandmont  
2410 Modoc Way  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: 8/10/96  
Claim Number: 96-64

Dear Ms. DeGrandmont:

Notice is hereby given that the claim you presented to the City of Lodi on August 30, 1996, 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,

  
Jennifer Perrin  
City Clerk

cc: Bill Benson

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City Attorney

## Notice of Claim Rejection

October 16, 1996

Joy Smith  
236 E. Lodi Ave.  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: 8/10/96  
Claim Number: 96-70

Dear Ms. Smith:

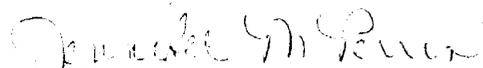
Notice is hereby given that the claim you presented to the City of Lodi on September 12, 1996, is rejected as of the date of this letter.

### 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,

  
Jennifer Perrin  
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cc: Bill Benson

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## Notice of Claim Rejection

October 16, 1996

Dorothy Thompson  
1416 Midvale Rd.  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: 6/26/96  
Claim Number: 96-50

Dear Ms. Thompson:

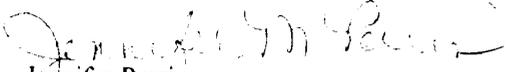
Notice is hereby given that the claim you presented to the City of Lodi on June 26, 1996, is rejected as of the date of this letter.

### 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,

  
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## Notice of Claim Rejection

October 16, 1996

Geraldine R. Wolfe  
1110 W. Pine St.  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: 6/20/96  
Claim Number: 96-47

Dear Ms. Wolfe:

Notice is hereby given that the claim you presented to the City of Lodi on July 8, 1996, 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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Jennifer Perrin  
City Clerk

cc: Bill Benson