



CITY OF LODI

COUNCIL COMMUNICATION

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

MEETING DATE: February 21, 2001

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:

	<u>Date of Loss</u>
A) Elvia P. Silvas	03/22/00
B) Enoch Schmidt	12/31/00
C) Brian Cox	08/25/00

BACKGROUND INFORMATION: Following review of the verified claims filed against the City of Lodi, the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), and the Senior Human Resources Analyst, recommend that the City deny the subject claims.

FUNDING: None required.

Respectfully submitted,


for Joanne M. Narloch, Human Resources Director

cc: City Attorney

APPROVED:


H. Dixon Flynn -- City Manager

CITY COUNCIL

STEPHEN J MANN, Mayor
ALAN NAKANISHI,
Mayor Pro Tempore
SUSAN HITCHCOCK
KEITH LAND
PHILLIP A. PENNINO

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
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

February 22, 2001

Elvia P. Silvas
8352 Cruden Street
Stockton, CA

RE: Claim against the City of Lodi
Claimant: Elvia P. Silvas
Date of Loss: March 22, 2000
Our Claim Number: 464

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on October 17, 2000, is rejected as of the date of this letter.

Notice

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 §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 §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,



Susan J. Blackston
City Clerk

cc: City Attorney
Risk Manager
Linda Vanderbur, ICA

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Notice of Claim Rejection

February 22, 2001

Enoch Schmidt
1850 Scarborough
Lodi, Ca 95240

RE: Claim against the City of Lodi
Claimant: Enoch Schmidt
Date of Loss: December 31, 2000
Our Claim Number: 484

Dear Claimant:

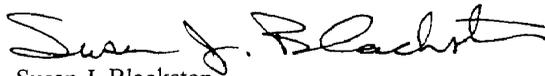
Notice is hereby given that the claim you presented to the City of Lodi on January 3, 2001, is rejected as of the date of this letter.

Notice

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 §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,


Susan J. Blackston
City Clerk

cc: City Attorney
Risk Manager
Linda Vanderbur, ICA

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Notice of Claim Rejection

February 22, 2001

Brian Cox
2400 Eilers Lane #1406
Lodi, CA 95242

RE: Claim against the City of Lodi
Claimant: Brian Cox
Date of Loss: August 25, 2000
Our Claim Number: 484

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on November 8, 2000, is rejected as of the date of this letter.

Notice

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 §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,



Susan J. Blackston
City Clerk

cc: City Attorney
Risk Manager
Linda Vanderbur, ICA