



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Communications (September 27, 1995 - October 10, 1995)

MEETING DATE: October 18, 1995

PREPARED BY: City Clerk

RECOMMENDED ACTION: That the City Council, by motion action, grant the following Application to Present a Late Claim filed against the City of Lodi.

a) Michael Lawrence (a minor), date of loss 9/16/94

BACKGROUND INFORMATION: Following review of this Application to Present a Late Claim filed against the City of Lodi, the City Attorney and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA) recommended that the City Council grant the Application.

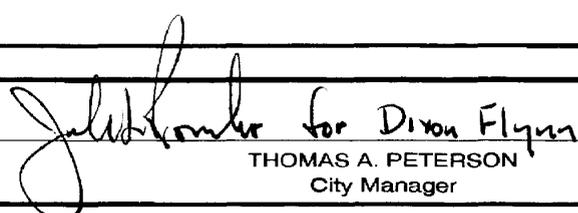
FUNDING: None required.

Respectfully submitted,


John M. Luebberke
Deputy City Attorney

JML:jmp

APPROVED: _____


THOMAS A. PETERSON
City Manager

CITY COUNCIL

STEPHEN J. MANN, Mayor
DAVID P. WARNER
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
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CITY OF LODI

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

Notice of Claim Rejection

October 18, 1995

Jacqueline M. Lawrence
Michael Lawrence
c/o Digardi & Campbell
1000 Broadway, Suite 600
Oakland, California 94607

RE: Claim of Michael Lawrence against the City of Lodi
Date of Loss: 09-16-94
Claim Number: 95-55
CJPMRA Claim Number: 94-95-045

Dear Ms. Lawrence:

Notice is hereby given that the claim you presented on behalf of Michael Lawrence to the City on Lodi on September 15, 1995, 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