



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Communications (September 27, 1995 through September 10, 1995)

MEETING DATE: October 18, 1995

PREPARED BY: Assistant City Manager

RECOMMENDED ACTION: That the City Council by motion action deny the following verified claim filed against the City of Lodi.

G. 2a,b

- a) Kenneth Isaak, date of loss 07/16/95
- b) Michael Lawrence (a minor), date of loss 9/16/94

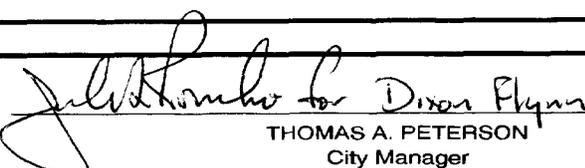
BACKGROUND INFORMATION: Following review of the verified claim filed against the City of Lodi, the City Attorney and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA) recommend that the City Council deny the subject claim.

FUNDING: None required.

Respectfully Submitted,


Jerry L. Glenn
Assistant City Manager

JLG:tp

APPROVED: 

THOMAS A. PETERSON
City Manager

CITY COUNCIL

STEPHEN J. MANN, Mayor
DAVID P. WARNER
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
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 18, 1995

Kenneth Isaak
45 N. Wellington
Lodi, CA 95242

RE: Claim of Kenneth Isaak
Date of Loss: 07-16-95
Claim Number: 95-53

Dear Mr. Isaak:

Notice is hereby given that the claim you presented to the City on Lodi on September 13, 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