



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

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

MEETING DATE: January 7, 2004

PREPARED BY: Risk Management

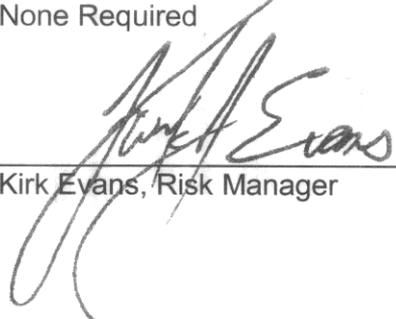
RECOMMENDED ACTION: To approve by motion action, denial of the following verified Claim filed against the City of Lodi.

(A) Charles Mauch

DOL: June 24, 2003

BACKGROUND INFORMATION: Following review of verified claims filed against the City of Lodi, The City's contract administrator, DB Claims and Human Resources Staff, recommend the City deny the subject claim(s).

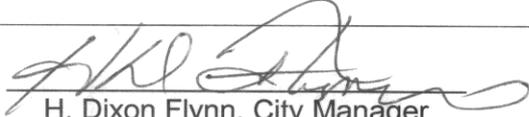
FUNDING: None Required


Kirk Evans, Risk Manager

Attachments

cc: City Attorney
DB Claims

APPROVED:


H. Dixon Flynn, City Manager

CITY COUNCIL

LARRY HANSEN, Mayor
JOHN BECKMAN
Mayor Pro Tempore
KEITH LAND
EMILY HOWARD
SUSAN HITCHCOCK

CITY OF LODI

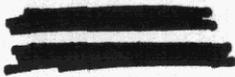
CITY HALL
221 WEST PINE STREET, P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
HUMAN RESOURCES: (209) 333-6704
FAX (209) 333-6816

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

FILE COPY

Notice of Claim Rejection

January 8, 2004

Charles Mauch


RE: Claim against the City of Lodi
Claimant: Charles Mauch
Date of Loss: 06/24/03
Our Claim Number: 870-03

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on December 12, 2003 was 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 §128.7 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 Blackston
City Clerk

cc: City Attorney
Risk Manager
DB Claims