



**CITY OF LODI
COUNCIL COMMUNICATION**

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

MEETING DATE: February 1, 2006

PREPARED BY: Risk Management

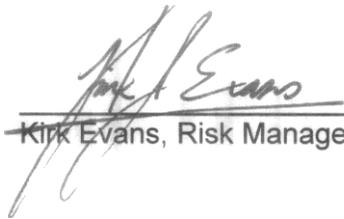
RECOMMENDED ACTION: That Council by motion action, deny the following verified claim filed against the City of Lodi.

(A) Curtis & Rhonda Gokey Date of Loss: December 31, 2005

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).

FISCAL IMPACT: N/A

FUNDING AVAILABLE: None Required



Kirk Evans, Risk Manager

Attachments

cc: City Attorney
DB Claims

APPROVED: 

Blair King, City Manager

CITY COUNCIL

SUSAN HITCHCOCK, Mayor
BOB JOHNSON
Mayor Pro Tempore
LARRY HANSEN
JOANNE MOUNCE
JOHN BECKMAN

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

BLAIR KING
City Manager
SUSAN J. BLACKSTON
City Clerk
STEPHEN SCHWABAUER
City Attorney

Notice of Claim Rejection
February 2, 2006

Curtis & Rhonda Gokey


RE: Claim against the City of Lodi
Claimant: Curtis & Rhonda Gokey
Date of Loss: 12/31/05
Our Claim Number: 101706

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on January 6, 2006 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
DB Claims
Risk Management
✓ City Clerk