

CITY COUNCIL MEETING
JUNE 6, 1984

COMMUNICATIONS

CITY CLERK

Following introduction of the matter by City Clerk Reimche, Council, on motion of Council Member Reid, Hinchman second, denied the following claims and referred same to L. J. Russo Insurance Services, Inc., the City's Contract Administrator.

- a) Kenneth Williamson DOL 1/13/84
- b) Evelyn Wilson DOL 1/13/84

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

June 12, 1984

Joseph L. Russell
Attorney at Law
110 North San Joaquin
Lobby Suite
Stockton, CA 95202

Dear Mr. Russell:

Re: Kenneth Williamson
DOL 1/13/84

Notice is hereby given that the claim you presented to the City of Lodi on January 13, 1984, was rejected by action of the Lodi City Council at its regular meeting held June 6, 1984.

The claim herein having been rejected, the following additional notification is given:

W A R N I N G

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this Claim. See Government Code Section 945.6.

You should also be aware 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.

Very truly yours,

Alice M. Reimche
City Clerk

AR:jj

cc: Leonard J. Russo, Inc.
Contract Administrator

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June 12, 1984

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Attorney at Law
110 North San Joaquin
Lobby Suite
Stockton, CA 95202

Dear Mr. Russell:

Re: Evelyn Wilson
DOL 1/13/84

Notice is hereby given that the claim you presented to the City of Lodi on January 13, 1984, was rejected by action of the Lodi City Council at its regular meeting held June 6, 1984.

The claim herein having been rejected, the following additional notification is given:

W A R N I N G

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this Claim. See Government Code Section 945.6.

You should also be aware 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.

Very truly yours,

Alice M. Reimche
City Clerk

AR:jj

cc: Leonard J. Russo, Inc.
Contract Administrator

CLAIM AGAINST THE

LODI POLICE DEPARTMENT

RECEIVED

1. Name of Claimant: EVELYN WILSON JUN 13 1984 22

2. Claimant's Address: 2228 W. Washington H. DENICHE
Stockton, CA 95205 CLERK
LODI POLICE DEPARTMENT

3. Post Office Address to Which Notices Are to be Sent: JOSEPH L. RUSSELL, Attorney at Law
110 N. San Joaquin, Lobby Suite
Stockton, CA 95202

4. Date of Occurrence or Cause of Action: October 6, 1983

5. Place of Occurrence or Cause of Action: Lodi Supermarket, 1401 Cherokee Lane,
Lodi, California

6. Describe Circumstances of Occurrence or Transaction Which Give Rise to the Claim Asserted: SEE ATTACHMENT

7. Describe Indebtedness, Obligation, Damage or Loss Incurred as Far as it May be Known at Time of Presentation of Claim: SEE ATTACHMENT

8. Name of Public Employee(s) Causing Injury or Damage, If Known:
a. SEE ATTACHMENT c. _____
b. _____ d. _____

9. Amount of Claim: (Include Estimated Amount of Any Prospective Injury, Damage or Loss Insofar as it May be Known at This Time.)

GENERAL DAMAGES	\$	<u>100,000.00</u>
PUNITIVE DAMAGES	\$	<u>200,000.00</u>
_____	\$	_____
_____	\$	_____

Total Amount Claimed as of Date of Presentation of This Claim is. \$ 300,000.00

Signed by or for Claimant:
Joseph L. Russell
Date: January 12, 1984

Note: File two copies of this claim with _____, retain one copy for your files.

Attachment to 6.

Claimant was exiting the Lodi Supermarket with several of Claimant's friends and relatives after completing shopping on October 6, 1983, when Claimant was confronted by law enforcement officers from the Lodi Police Department, San Joaquin County Sheriff's Department, and the State of California Department of Corrections. The officers had their weapons drawn and aimed at Claimant and Claimant's friends. Claimant was handcuffed, arrested and taken into custody. Although Claimant was subsequently released without charges, the arrest was made without justification, excuse, or reasonable belief that Claimant had been involved in any criminal activity. At no time did Claimant consent to the detention or arrest.

Attachment to 7.

Claimant was improperly detained and falsely arrested, and as a consequence thereof, suffered great mental and physical pain and anguish and has been damaged in Claimant's good name and reputation. The conduct also constituted assault and battery and intentional infliction of emotional distress. Claimant suffered physical, emotional and psychological injuries and damages as hereinafter alleged because of this false arrest.

Attachment to 8.

Sgt. Gomes
Sgt. Lafave
Pollock King
Donald Hill

Parole Officer Espinoza

Several officers from San Joaquin County Sheriff's Department, whose identities are presently unknown to Claimant.

Several officers from the Lodi Police Department, whose identities are presently unknown to Claimant.

Several officers from the State of California Department of Corrections, whose identities are presently unknown to Claimant.

CLAIM AGAINST THE

LODI POLICE DEPARTMENT

RECEIVED

1. Name of Claimant: KENNETH WILLIAMSON JAN 12 1984

2. Claimant's Address: 2228 W. Washington
STOCKTON, CA 95205

3. Post Office Address to Which Notices Are to be Sent: JOSEPH L. RUSSELL, Attorney at Law
110 N. San Joaquin, Lobby Suite
Stockton, CA 95202

4. Date of Occurrence or Cause of Action: October 6, 1983

5. Place of Occurrence or Cause of Action: Lodi Supermarket, 1401 Cherokee Lane,
Lodi, California

6. Describe Circumstances of Occurrence or Transaction Which Give Rise to the Claim Asserted: SEE ATTACHMENT

7. Describe Indebtedness, Obligation, Damage or Loss Incurred as Far as it May be Known at Time of Presentation of Claim: SEE ATTACHMENT

8. Name of Public Employee(s) Causing Injury or Damage, If Known:

a. SEE ATTACHMENT c. _____
b. _____ d. _____

9. Amount of Claim: (Include Estimated Amount of Any Prospective Injury, Damage or Loss Insofar as it May be Known at This Time.)

GENERAL DAMAGES \$ 100,000.00
PUNITIVE DAMAGES \$ 200,000.00
\$ _____
\$ _____

Total Amount Claimed as of Date of Presentation of This Claim is. \$ 300,000.00

Signed by or for Claimant:
Joseph L. Russell

Date: January 12, 1984

Note: File two copies of this claim with your files., retain one copy for

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