

CLAIM

BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF CONTRA COSTA COUNTY

BOARD ACTION: Oct 9, 2018

Claim Against the County, or District Governed by)
the Board of Commissioners, Routing Endorsements,)
and Board Action. All Section references are to)
California Government Codes.)

NOTICE TO CLAIMANT

The copy of this document mailed to you is your
notice of the action taken on your claim by the
Board of Commissioners. (Paragraph IV below) given
Pursuant to Government Code Section 913,
915.2. and 915.4 Please note all "Warnings".

RECEIVED

AUG 31 2018

COUNTY COUNSEL
MARTINEZ, CALIF.

AMOUNT: In Excess of \$25,000.00

CLAIMANT: Michelle Stamps

BY DELIVERY TO CLERK ON:

BY MAIL POSTMARKED: August 29, 2018

ATTORNEY: Willaim E. Lombardini, Esq.

ADDRESS: 1901 Harrison Street, Suite 1100
Oakland, CA 94612

FROM: The Board of Commissioners TO: County Counsel
Attached is a copy of the above-noted claim.

Dated: August 31, 2018 By: Deputy David Twa, Clerk [Signature]

II. FROM: County Counsel TO: The Board of Commissioners

- (x) This claim complies substantially with Sections 910 and 910.2.
() This Claim FAILS to comply substantially with Sections 910 and 910.2, and we are so notifying claimant. The Board cannot act for 15 days (Section 910.8).
() Claim is not timely filed. The Clerk should return claim on ground that it was filed late and send warning of claimant's right to apply for leave to present a late claim (Section 911.3).
() Other:

Dated: 9/4/18 By: [Signature] Deputy County Counsel

III. FROM: The Board of Commissioners TO: County Counsel (1) County Administrator (2)
() Claim was returned as untimely with notice to claimant (Section 911.3).

IV. BOARD ORDER: By unanimous vote of the Commissioners present:
() This Claim is rejected in full.
() Other:

I certify that this is a true and correct copy of the Board's Order entered in its minutes for this date.

Dated: David Twa, CLERK, By , Deputy Clerk

WARNING (Gov. code section 913)

Subject to certain exceptions, you have only six (6) months from the date this notice was personally served or deposited in the mail to file a court action on this claim. See Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this matter. If you want to consult an attorney, you should do so immediately. *For Additional Warning See Reverse Side of This Notice.

AFFIDAVIT OF MAILING

I declare under penalty of perjury that I am now, and at all times herein mentioned, have been a citizen of the United States, over age 18; and that today I deposited in the United States Postal Service in Martinez, California, postage fully prepaid a certified copy of this Board Order and Notice to Claimant, addressed to the claimant as shown above.

Dated: David Twa, CLERK By Deputy Clerk

This warning does not apply to claims which are not subject to the California Tort Claims Act such as actions in inverse condemnation, actions for specific relief such as mandamus or injunction, or Federal Civil Rights claims. The above list is not exhaustive and legal consultation is essential to understand all the separate limitations periods that may apply. The limitations period within which suit must be filed may be shorter or longer depending on the nature of the claim. Consult the specific statutes and cases applicable to your particular claim.

The County of Contra Costa does not waive any of its rights under California Tort Claims Act nor does it waive rights under the statutes of limitations applicable to actions not subject to the California Tort Claims Act

RE: Claim By:)
Michelle Stamps)
)
Against the County of Contra Costa and)
Contra Costa County Housing Authority)

Reserved for Clerk's filing stamp



The undersigned claimant hereby makes claim against the County of Contra Costa or the above-named district in excess of \$25,000 jurisdictional limit and in support of the claim represents as follows:

1. When did the damage or injury occur? (Give exact date and hour)
May 18, 2018 at approximately 10 p.m.
2. Where did the damage or injury occur? (Include city and county)
1010 Rosemary Lane, Oakley CA, Contra Costa County
3. How did the damage or injury occur? (Give full details; use extra paper if required)
Plaintiff fell through her deck in the public housing unit where she lived. Plaintiff's flower pot flew across her deck on a windy night, and she walked across the deck to pick up the flower pot and fell through the deck. Her left leg went completely through through the deck and her body was fully lodged in. Plaintiff's son, Jalen, had to help Claimant extricate herself.
4. What particular act or omission on the part of county or district officer, servants or employees caused the damage or injury?
Plaintiff moved into the apartment on October 1, 2017 and the deck was in disrepair. The owners did a walkthrough with plaintiff and did not say anything concerning the deck. Plaintiff fell through the deck because it was completely rotten and was in a state of disrepair.
5. What are the names of county or district officers, servants or employees causing the damage or injury?
Unknown at this time; Investigation continues
6. What damage or injuries do you claim resulted? (Give full extent of injuries or damages claimed. Attach two estimates for auto damage)
Claimant sustained a complete tear of her left ACL; As a direct and proximate result of the collision, Claimant has suffered bodily injuries and has endured: past and future pain and suffering; loss of enjoyment of life; physical impairment; emotional distress; disfigurement; inconvenience; grief; anxiety; and humiliation - all of which resulted from or accompanied Plaintiffs' physical injuries. As a direct and proximate result of the collision, Plaintiff required medical treatment to treat the injuries she

suffered in the accident and Plaintiff incurred medical bills for said medical treatment.

Plaintiff has incurred out-of-pocket costs and losses and incurred special damages and general damages as a direct and proximate result of the negligent acts and omissions of the Housing Authority

- 7. How was the amount claimed above computed? (Include the estimated amount of any prospective damage or injury.)
- 8. Names and addresses of witnesses, doctors and hospitals:
John Muir Medical Center in Concord; Pittsburg Health Clinic; MRI at Open MRI in Pittsburg.
- 9. List the expenditures you made on account of the accident or injury:

<u>DATE</u>	<u>TIME</u>	<u>AMOUNT</u>
Inv. Continues	Inv. Continues	Inv. Continues

) Gov. Code Sec. 9110.2 provides "The claim shall
) be signed the claimant or by some person on his
) behalf.

SEND NOTICES TO: (Attorney))

Name and address of Attorney)

 8/22/18

Clerk of the Board of Supervisors)

(Claimant's Signature)

County Administration Building)

Room 106)

William Lombardini, Esq.

651 Pine Street)

The Barnes Firm

Martinez CA 94553)

1901 Harrison Street, Suite 1100

Oakland, CA 94612

(Address)

Telephone No. (925) 335-1900)

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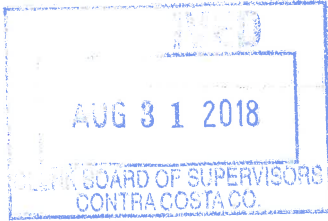
THE
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¹Admitted in California
²Admitted in Colorado
³Admitted in Illinois
⁴Admitted in New York
⁵Admitted in New Jersey
⁶Admitted in Ohio
⁷Admitted in Pennsylvania
⁸Admitted in Washington

August 28, 2018

County of Contra Costa
Contra Costa County Housing Authority
Clerk of the Board of Supervisors
County Administration Building
651 Pine Street, Room 106
Martinez, CA 94553

**RE: Our Client : Michelle Stamps
Government Claim against Contra Costa County Housing
Authority & County of Contra Costa**

To Whom it May Concern:

Our office represents Michelle Stamps in her bodily injury claim against the above referenced government entities. Enclosed please find our duly executed Government claim form against the Contra Costa County Housing Authority and the County of Contra Costa.

Very truly yours,

A handwritten signature in black ink, appearing to read "William E. Lombardini".

William E. Lombardini

WEL:acr
Enclosures

San Diego
350 10th Ave, Suite 1000
San Diego, CA 92101

Los Angeles
633 West Fifth St, Suite 1750
Los Angeles, CA 90071

Bay Area
1901 Harrison St, Suite 1100
Oakland, CA 94612

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Contra Costa County Housing Authority
Clerk of the Board of Supervisors
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OAKLAND
CA 945
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