OFFICE OF THE COUNTY COUNSEL

## COUNTY OF SANTA CRU7

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

Agenda June 16, 1998

GOVERNMENT CENTER (408)454-2040 FAX(408)454-2115

> **DWIGHT L. HERR** COUNTY COUNSEL

**DEBORAH STEEN** SAMUEL TORRES. JR. CHIEF ASSISTANTS

GOVERNMENT TORT CLAIM

RECOMMENDED **ACTION**  HARRY A. OBERHELMANIII MARIE COSTA JANE M. SCOTT RAHN GARCIA TAMYRA CODE PAMELA NFE **ELLEN LEWIS** KIM BASKETT LEE GULLIVER

DANA MCRAE **ASSISTANTS** 

To: The Board of Supervisors Re: Claim of Angelica Macias, No. 798-153B Original Document and associated materials are an ile at the Clerk to the Board of Supervisors. In regard to the above-referenced claim, this is to recommend that the Board take the following action: X 1. Deny the claim of Angelica Macias, No. 798-153B and refer to County Counsel. \_\_\_\_2. Ceny the application to file a late claimon behalf of and refer to County Counsel. \_\_\_\_3. Grant the application to file a late claimon behalf of \_\_\_\_\_\_ and refer to County Counsel. \_\_4. Approve the claim of \_\_\_\_\_ amount of \_\_\_\_\_ and reject it as to the balance. If any, and refer to County Counsel. 5 Pelect the claim of insufficiently filed and refer to County Counsel. **RISK MANAGEMENT** John Fantham, Director cc: Department of Public Works COUNT! CCLINSE!

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WINSLOW & HURTUBISE		
Gregory F. Winslow (100495)		
Jerry A. Hurtubise (95 180)		
230 Noe Street		
San Francisco, CA 94 114		
Telephone (415) 621-2131		
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Attorneys for Claimant, Angelica Macias

## CLAIM AGAINST THE COUNTY OF SANTA CRUZ

ANGELICA MACIAS,	)	
Claimant,	) PUBLIC ENTITY TORT CLAIM AGAINST } THE COUNTY OF SANTA CRUZ	
vs.		
COUNTY OF SANTA CRUZ,		
Respondent.	) ) )	

Pursuant to Government Code Sections 900, *et seq.*, claimant **Angelica** Macias respectfully submits the following *Public Entity Tori Claim Against the County of Santa Cruz*.

1. Name of Claimant: Angelica Macias.

2. **Address of Claimant:** 5 **Hatton** Street, Watsonville, CA 95076.

3. Address for Notices: Claimant may be contacted through the office of her attorneys, WINSLOW & HURTUBISE, 230 Noe Street, San Francisco, CA. 94 114 (4 15) 62 1-2 13 1.

4. **Date of Incident:** December 5, 1997.

5. **Location of Incident:** Freedom Blvd approximately .**3** miles north of La Vida Rd. (private property), Santa Cruz County.

6. **Nature of Claim:** Claimant was passenger in single car collision on southbound Freedom Blvd. The car was driven by claimant's **fiancé**, **Rhandy Soto**. Mr. **Soto** lost control of his vehicle and collided with a utility pole. Mr. **Soto** died as a result of the injuries he sustained in the crash.

1	The roadway and adjacent property constitutes a dangerous condition of public property, due		
2	negligent con	nstruction, maintenance, design	and management of the roadway and the adjacent property.
3	7.	Nature of Injuries:	Claimant sustained numerous psychological and personal
4	injuries, including, but not limited to, her head, abdomen, back, neck and leg including pain and		
5	suffering. Claimant further suffered the loss of consortium with the decedent and loss of his financial		
6	support for herself and for their unborn child. The claimant suffered general and special damages in an		
7	amount currently unknown, but within the jurisdiction of the Superior Court.		
8	8.	Responsible Employees:	Unknown at this time.
9	9.	Amount of Claim:	The claim is within the jurisdiction of the Superior Court.
10	DATE	1 1 1000	Manda on a managana
11	DATE:	June <b>1</b> , 1998	WINSLOW & HURTUBISE,
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13			By: Gregory <b>F</b> . Winslow
14			Attorneys for Claimant
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