

OFFICE OF THE
COUNN COUNSEL



COUNTY OF SANTA CRUZ

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GOVERNMENT TORT CLAIM
RECOMMENDED ACTION

Agenda June 23, 1998

ASSISTANTS

To: The Board of Supervisors

Re: Claim of Peter M. Brotz and Deborah Meredith, No. 798-141

Original Document and associated materials are on file at the Clerk to she Board of Supervisors.

In regard to the aoove-referenced claim, this is to recommend that the Board take the following action:

- Peter M. Brotz and Deborah Meredith,
- 1. Ceny the claim of No. 798-141 and refer to County Counsel.
 - 2. Deny the application to file a lace claim on behalf of _____ and refer to County Counsel.
 - 3. Grant the application to file a lace claim on behalf of _____ and refer to County Counsel.
 - 4. Approve the claim of _____ in the amount of _____ and reject it as to the balance. if any, and refer to County Counsel.
 - 5. Reject the claim of _____ as insufficiently filed and refer to County Counsel.

cc: John Fantham, Director
Department of Public Works

RISK MANAGEMENT

By Janet McKinley

COUNTY COUNSEL

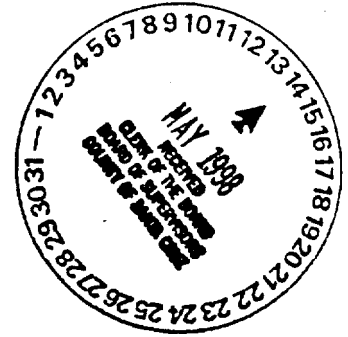
By [Signature]

LTR9.WPT

PER 5107 Rev 4, 97

798-141

GOVERNMENTAL CLAIM



TO: County of Santa Cruz

NAME OF CLAIMANT: Peter M. Brotz and Deborah Meredith

ADDRESS: 609 White Road,
Watsonville, California 95076

ADDRESS TO WHICH NOTICE SHOULD BE SENT: Johnson & James LLP, Post Office
Box 245, Aptos, California 95001-0245

CLAIM:

On or about February 7, 1998, the claimants suffered severe emotional distress, personal injury, and property damage when their residence was permanently and completely destroyed by a landslide which encompassed the property, destroying the home and making it structurally unsound. The County of Santa Cruz issued a Red Tag declaring the property unsafe to occupy due to geologic hazards on or about March 19, 1998. The claimants were forced to leave their home on February 6, 1998, and have not returned. In acting as herein above set forth, the County of Santa Cruz committed trespass and nuisance, as well as acting in a negligent manner.

DESCRIPTION OF ECONOMIC LOSS:

The economic loss of the claimants includes, but is not limited to, the total destruction of their family residence, the dislocation costs incurred, and the emotional distress and physical injury related thereto and other related costs attendant to the loss of the primary residence and acquisition of a new residence.

NAMES OF EMPLOYEES CAUSING INJURY:

The names of the employees causing the injury are unknown at this time.

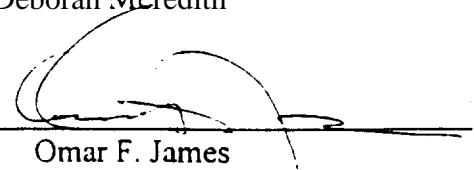
AMOUNT OF INJURY CLAIMED:

The injury is within the jurisdictional limits of the Superior Court of the State of California.

Dated: May 12, 1998.

JOHNSON & JAMES LLP,
Attorneys for Claimants, Peter M. Brotz
and Deborah Meredith

By: _____


Omar F. James