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COUNTY OF SANTA CRUZ

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GOVERNMENT TORT CLAIM  
RECOMMENDED ACTION

DEBORAH STEEN  
SAMUEL TORRES, JR.  
CHIEF ASSISTANTS

ASSISTANTS

Agenda November 10, 1998

To: The Board of Supervisors

Re: Claim of Rena Pickens, No. 899-058

Original Document and associated materials are on file 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:

- 1. Deny the claim of Rena Pickens, No. 899-058 and refer to County Counsel.
- 2. Deny the application to file a late claim on behalf of \_\_\_\_\_ and refer to County Counsel.
- 3. Grant the application to file a late 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: Not County Jurisdiction

RISK MANAGEMENT

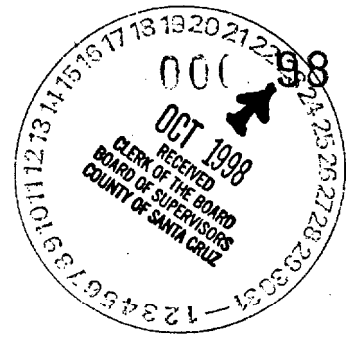
BY Janet McKinley

COUNTY COUNSEL

By Elaine Lewis

LTR9.WPT

899-058



NOTICE OF CLAIM

TO: COUNTY OF SANTA CRUZ  
Clerk of the Board  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060

1. NAME AND ADDRESS OF CLAIMANTS:

Rena Pickens, 7323 College View, No. 706, Rohnert Park, CA 94928.

2. ADDRESS TO WHICH ALL NOTICES SHOULD BE SENT:

Craig Needham, LICCARDO, ROSSI, STURGES & McNEIL, 1960 The Alameda, Suite 200, San Jose, California 95126, (408)244-4570.

3. DATE, TIME AND CIRCUMSTANCES OF INCIDENT:

On or about 12th day of August, 1998, at approximately 9:15 p.m., Claimant was injured while walking on State Highway 9, at or near the intersection of State Highway 9 and Glen Arbor Road, in the County of Santa Cruz, State of California.

At said time and place, claimant was a pedestrian and had reached a point on Highway 9 which had been washed out by what is believed to be prior storm activity. At said time and place, claimant, thinking she was traveling on a portion of the Highway, suddenly stepped into a drop-off believed to be caused by prior storm damage. Said drop-off was not marked for pedestrians, and there were no warnings of the drop-off ahead of her as she was proceeding on said Highway and due to the darkness and no warnings, claimant was unable to see the drop-off.

This claim is made against the County of Santa Cruz on the basis that said drop-off constituted a dangerous condition of

public property in that, among other things, there were no warnings to pedestrians of said drop-off and said condition would place pedestrians, such as claimant, in a perilous position.

4. INJURIES: Lacerations to the face, bruises and abrasions, generalized trauma, and specifically, injury to the left knee, jaw, left hip, right **elbow**, right hip, right leg, headaches, and severe emotional distress.

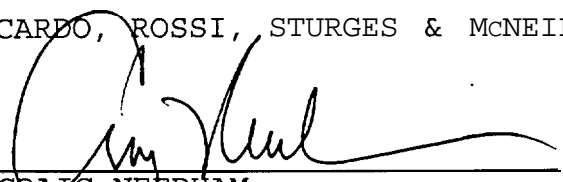
5. OTHER INJURED PERSON: None.

6. WITNESSES: It is unknown at this time what employees were responsible for the repair, maintenance and supervision of said location on said Highway. Discovery has not commenced. It is hopeful that this claim will elicit investigation by the responsible public entity, and this matter will resolve consistent with the spirit and intent of the claims statutes.

5. **AMOUNT** OF CLAIM: Exceeds the minimal jurisdictional limits of the Superior Court.

Dated: October 22, 1998

LICCARDO, ROSSI, STURGES & McNEIL

By:   
CRAIG NEEDHAM  
Attorneys for Claimant

**PROOF OF SERVICE BY MAIL**

I, the undersigned, declare:

I am now and at all times herein mentioned have been over the age of eighteen years, a citizen of the United States, employed in Santa Clara County, California, and not a party to the within action or cause; that my business address is 1960 The Alameda, Suite 200, San Jose, California 95126-1432. I am readily familiar with the firm's business practice for collection and processing of correspondence for mailing with the United States Postal Service by Certified-Return Receipt Requested. I served a copy of the attached document by placing said copy in an envelope addressed as shown below, which envelope was then sealed and, with postage fully prepaid thereon, was on October 22, 1998, placed for collection and mailing at my place of business following ordinary business practices. Said document will be deposited with the United States Postal Service at San Jose, California on the above-referenced date in the ordinary course of business; and there is delivery service by United States mail at the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on October 22, 1998, at San Jose, California.

  
Debra Kemp

**DOCUMENT SERVED:**      *NOTICE OF CLAIM*

**COUNTY OF SANTA CRUZ**  
**Clerk of the Board**  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060