

OFFICE OF THE
COUNTY COUNSEL



107
COUNTY OF SANTA CRUZ

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GOVERNMENT TORT CLAIM
RECOMMENDED ACTION

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ASSISTANTS

Agenda March 23, 1999

To: The Board of Supervisors

Re: Claim of Craig Musich, a minor, by his mother, Gail Lukan, No. 899-096

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:

Craig Musich, a minor, by his mother,
Gail Lukan, No. 899-096

1. X Deny the claim of _____ and refer to County Counsel.

Deny 2 the application to file a late claim on behalf of _____ and refer to County Counsel.

Grant 3 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

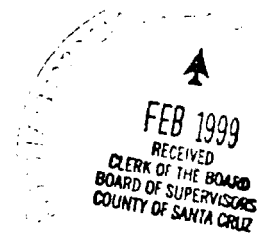
By Bret McKinley

COUNTY COUNSEL

By E. Lewis

LTR9.WPT

PER 5107 Rev. 4/97


TORT CLAIM

TO: COUNTY OF SANTA CRUZ

CRAIG MUSICH, a minor, by his mother, GAIL LUKAN, hereby makes claim against the COUNTY OF SANTA CRUZ, COUNTY OF SANTA CRUZ PARKS, OPEN SPACE AND CULTURAL SERVICES DEPARTMENT: for a sum according to proof which will not be a limited civil case. and makes the following statements in support of this claim:

1. Claimant's name: Craig Musich
2. Claimant's post office address: 1545 Hidden Terrace Court, Santa Cruz, CA, 95062.
3. Notices concerning the claim should be sent to Linda Jovich, Attorney at Law, 740 Front Street. Suite 200, Santa Cruz. CA, 95060.
4. Date and place of the occurrence giving rise to this claim: August 25, 1998; on the right of way for Jose Avenue which extends into the vacant lot adjacent to Jose Avenue in the County of Santa Cruz, California.
5. The circumstances giving rise to this claim are as follows: At the above time and place. claimant was riding his bicycle down Jose Avenue which is owned, managed, maintained and controlled by the County of Santa Cruz. The claimant turned onto a dirt path within the Jose Avenue right of way. The dirt path runs through a vacant lot adjacent to Jose Avenue. A fence or barricade had been recently erected across the dirt path. This fence or barricade consisted of cable strung between several low fence posts. The cable was suspended directly across the path and was not readily visible to persons entering onto the land. Claimant ran into the cable and sustained injury. Claimant was injured as a result of the dangerous condition on the land which claimant is informed and believes is owned, managed, maintained and controlled by the County of Santa Cruz. Claimant is informed and believes that the fence/barricade was erected by, or at the direction of, the County of Santa Cruz, its agents or employees.
6. Claimant' injuries are multiple abrasions, lacerations and contusions to his arms and chest, and abrasions and contusions and sprains and strains to his legs.
7. The names of the public employees causing the claimant's injuries are unknown at this time.
8. The amount of the claim is in excess of \$1 0,000.00 and the claim will not be a limited civil case.

Dated: February 19, 1999


LINDA C. JOVICH
Attorney for Claimant