



County of Santa Cruz

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda May 25, 1999

To: . The Board of Supervisors

Re: Claim of Zeida Casillas, No. 899-131

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:

- X 1. Deny the claim of Zeida Casillas, No. 899-131 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 the balance, if any, and refer to County Counsel.
5. Reject the claim of _____ as **insufficiently** filed and **refer** to County Counsel.

cc: Barry Samuel, Director,
Parks Department

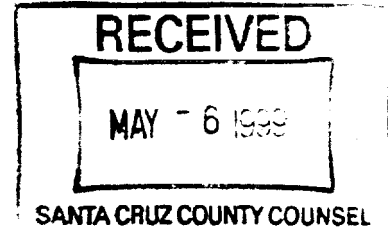
RISK MANAGEMENT

By Janet McKinley

COUNTY COUNSEL

By Ellen Aldridge

1 4354-2-47
 2 TIMOTHY R. VOLKMANN (Bar No. 098280
 2 BURTON, VOLKMANN & SCHMAL, LLP
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 3 Santa Cruz, CA 95060
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 4 Facsimile: (831) 427-3159
 5 Attorneys for Defendant/Claimant
 5 ZEIDA CASILLAS



8 TO: COUNTY OF SANTA CRUZ

10 NOTICE OF CLAIM

11 (Government Code Section 910, et al.)

12 Claimant ZEIDA CASILLAS hereby makes a claim for equitable
 13 indemnity or partial equitable indemnity against the COUNTY OF
 14 SANTA CRUZ. Jurisdiction rests in the Superior Court of the State
 15 of California, County of Santa Cruz. This claimant makes the
 16 following statement in support of this claim:

17 1. Claimant ZEIDA CASILLAS' address is 590 Iris Drive,
 18 Natsonville, CA 95076.

19 2. All notices concerning this claim should be sent to the
 20 claimant's attorney of record, Timothy R. Volkmann, BURTON,
 21 VOLKMANN & SCHMAL, LLP, 133 Mission Street, Suite 102, Santa Cruz,
 22 California 95060.

23 3. The date and place of the occurrence giving rise to this
 24 claim was on October 25, 1997, on Blain Street, in the City and
 25 County of Santa Cruz.

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1 4. The circumstances giving rise to this claim are as
2 follows: Please see Plaintiff's Complaint which is attached as
3 "Exhibit A." Specifically, the plaintiff is claiming that as he
4 was getting into his car, a tree fell on top of his vehicle,
5 injuring Mr. ZAMORA and damaging his vehicle. It is claimed that
6 the County of Santa Cruz was responsible for the fact that this
7 tree fell, as the tree was located on property owned and controlled
8 by the County of Santa Cruz. Based upon the County's failure to
9 inspect/maintain its property, the plaintiff was injured,

10 By reason of this negligence of the County of Santa Cruz, its
11 agents, servants, and employees, Plaintiff EDWARD E. ZAMORA is
12 alleging he sustained personal injuries. Plaintiff has filed a
13 civil action against Defendant ZEIDA CASILLAS and the COUNTY OF
14 SANTA CRUZ (Case No. 134131).

15 Claimant ZEIDA CASILLAS was served with this Complaint on
16 January 24, 1999.

17 5. As a result of the negligence of the COUNTY OF SANTA
18 CRUZ, Claimant ZEIDA CASILLAS has a claim for equitable indemnity
19 or partial equitable indemnity in an amount unknown at this time,
20 but believed to exceed \$25,000.

21 6. Claimant ZEIDA CASILLAS looks forward to receiving your
22 response to this claim at your earliest convenience.

23

24 DATED: May 5, 1999

BURTON, VOLKMANN & SCHMAL, LLP

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26

BY: 

TIMOTHY R. VOLKMANN,
Attorneys for Defendant/Claimant
ZEIDA CASILLAS

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