



County of Santa Cruz

0001

OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, SUITE 505, SANTA CRUZ, CA 950604068
(831) 4543040 FAX: (831) 454-2115

SAMUEL TORRES, JR., COUNTY COUNSEL

Assistants

CHIEF ASSISTANTS
RAHN GARCIA
DANA McRAE

Deborah Steen	Pamela Fyfe
Harry A. Oberhelman III	Ellen Aldridge
Marie Costa	Kim Baskett
Jane M. Scott	Lee Gulliver
Tamyra Rice	Kathleen Pacheco

GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

November 14, 2000

Agenda _____

To: Board of Supervisors

Re: Claim of Gloria Del Ponte, No. 001-034

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. Reject the claim of Gloria Del Ponte, No. 001-034 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: Tom Bolich, Director
Department of Public Works

RISK MANAGEMENT

BY Janet McKinley

COUNTY COUNSEL

By Kim Elizabeth Baskett

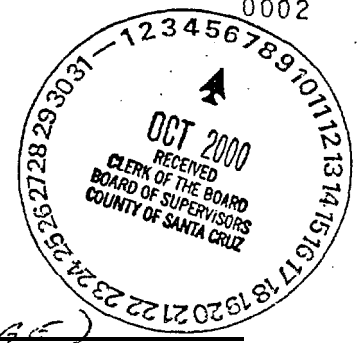
PER5107 wp
Rev 9/2000

001-034

0002

CLAIM AGAINST THE COUNTY OF SANTA CRUZ
(Pursuant to Section 910 et Seq., Govt. Code)

TO: BOARD OF SUPERVISORS
COUNTY OF SANTA CRUZ
ATTN: Clerk of the Board
Governmental Center Room 500
70 1 Ocean Street, Santa Cruz, CA 95060



1. Claimant's Name: GLORIA DELPONTE (71 YRS. OF AGE)
Address: 6579 WILLOWBRAE WAY
SACRAMENTO, CAL. 95831
Phone No: (916) 421-0147

P.O. Box to which notices are to be sent: _____

2. Occurrence: SIDEWALK FALL DUE TO UNEVEN SIDEWALK
Date: 5-30-00 Place: APTOS, CA. NEAR THE CORNER OF
VENETIAN RD. & APTOS BEACH DR.

3. Circumstances of occurrence or transaction giving rise to claim: WALKING DOWN SIDEWALK ON APTOS BEACH DR.
AND FELL DUE TO UNEVEN SIDEWALK

4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known: BROKEN RION FINGERIGHT HAND. SPRAINED
LITTLE FINGER ON RIGHT HAND. LARGE KNOT UN-
DER LEFT KNEE - MEDICAL EXPENSES.

5. Name(s) of public employee(s) causing injury, damage or loss, if known: _____

6. Amount claimed now\$ 9,500.00
Estimated amount of future loss, if known.\$ UNK
TOTAL \$ _____

7. Basis for above computations: MEDICAL EXPENSES - PAIN AND
SUFFERING.

8. If the amount claimed is over \$10,000, indicate the court of jurisdiction:
_____ Municipal Court _____ Superior Court

CLAIMANT'S SIGNATURE: Gloria DelPonte

- SEE ATTACHED LETTER -

Note Claim must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned the injury.
Americans with Disabilities Act questions or requests for accommodations may be directed to the ADA Coordinator
at 454-2962 (TDD 454-2123).

PER5003

Sacramento, Ca.
October 4, 2000

0003

Dear Sir/Madam

While on vacation in Aptos, Ca. my wife fell down on an uneven sidewalk near the corner of Venetian Rd. and Aptos Beach Dr. I took my wife to the Urgent Care Dept. at the Dominican Hospital located at 1555 Sequel Drive, Santa Cruz, Ca. 95065. X Rays were taken which revealed a broken ~~XXXX~~ ring finger on the right hand. The little finger next to the broken finger was sprained, along with a nearly golf ball sized knot under the left knee. My wife was advised by the Urgent Care Doctor to contact an Orthopedic Hand Specialist as soon as we get home for follow up treatment. While in Urgent Care a splint was put on the broken finger.

See enclosed photos of location of accident and injuries.

See enclosed copy of Urgent Care Doctors aftercare and follow up instructions.

Prior to leaving for home we felt that some type of report should be made, so we went to the Santa Cruz County Sheriff's Service Center in the Rancho Del Mar Shopping Center in Aptos and were met by Santa Cruz Deputy Joseph Hemingway. We advised Deputy Hemingway of what had happened regarding the sidewalk fall, and we felt that photographs and some type of report should be made. We were advised by Deputy Hemingway that it was not the policy of the Santa Cruz Sheriff's Office to take photos or make any report on the sidewalk fall. Our conversation with Deputy Hemingway took place on June 1, 2000 at 1:05 PM. While we were leaving the Service Center Office one of the men that was in the office that may have been a reserve deputy or some type of volunteer walked to the front door with us and said "What you should do is take pictures of the faulty sidewalk and hire an attorney". We returned to where the fall occurred and took photos and left for home. I would like to add that Deputy Hemingway was very courteous to us.

When we arrived home we met with our family doctor for a referral to a orthopedic hand specialist. Our family dr. was shown the X Ray from the Dominican Hospital Urgent Care Dept. showing the broken finger, and gave my wife a prescription for pain, and the following day my wife met with the orthopedic dr. More X Rays were taken showing the broken finger and my wife was fitted with a different type of finger splint.

After 5 appointments with the orthopedic dr. and further X Rays the broken finger is healing, but slowly. After the last appointment with the orthopedic dr. on 9-26-00 he has my wife going to Physical Therapy to aid in the healing process. The next appointment with the orthopedic dr. is on 11-7-00, so he can check on the progress from the physical therapy.

Although my wife is a member of Kaiser Permanente and on Medicare, she is still responsible for part of the medical bills.

We hope your cooperation in this matter will not make it necessary for us to consult with an attorney.

Respectfully
Garcia Del Ponte
Joseph Del Ponte

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