



County of Santa Cruz

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda June 11, 2002

To: Board of Supervisors

Re: Claim of Christopher B. Dolan, No 102-125

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. Reject the claim of _____ 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.
- X 5. Reject the claim of Christopher B. Dolan, No. 102-125 as insufficiently filed and refer to County Counsel.

cc: Not County Jurisdiction

RISK MANAGEMENT

By Janet McKinley
Janet McKinley, Risk Manager

DANA McRAE, COUNTY COUNSEL

By Kim Elizabeth Baskett
Kim Elizabeth Baskett, Assistant County Counsel

102-125

DOLAN

CBD 0018
THE DOLAN LAW FIRM

425 Pacific Avenue
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Christopher B. Dolan

6 May 2002

Clerk of The Board of Supervisors

**Santa Cruz County Government
Board of Supervisors
701 Ocean Street,
Santa Cruz, CA 95060**

Re: Dolan v. City and County of Santa Cruz
Notice of Claim [Government Code §910]

The Dolan Law Firm has been retained to represent Christopher B. Dolan in his claims stemming for a motor vehicle accident which occurred on November 9, 2001 on Front Street at Cooper Street. The following is provided pursuant to California Government Code § 910:

a) **NAME AND ADDRESS OF CLAIMANT**

Christopher B. Dolan
425 Pacific Avenue
San Francisco, California 94133

b) **ADDRESS TO WHICH CLAIMANT WISHES NOTICES TO BE SENT**

Mr. Christopher B. Dolan
THE DOLAN LAW FIRM
425 Pacific Avenue
San Francisco, CA 94133-4606

c) **DATE, PLACE AND CIRCUMSTANCES OF OCCURRENCE GIVING RISE TO THE CLAIM**

On November 9, 2001, at about 7:00 p.m. claimant was traveling Eastbound on Front Street at the place where it intersected with Cooper Street when he tried to stop his vehicle. Unbeknownst to the claimant Santa Cruz had placed reflective arrows on the pavement using a Teflon tape with a very low coefficient of friction which prevented his motorcycle from stopping causing his vehicle to slide into the rear of a car which had abruptly stopped at the intersection of Cooper and Front Streets.

Claimant contends that he placement of said arrows using a tape with a low coefficient of friction presented a trap to a motorist such as himself by creating a dangerous condition fo public property for the type of vehicle he was driving given that there was little or no traction to affect a stop. Claimant was informed by the police responding to the scene that his motorcycle had lost traction due to Teflon tape which was low in the coefficient of friction.

Claimant believes that The City and County of Santa Cruz knew or should have known of this dangerous condition of public property in advance of this collision and with sufficient time to remedy the situation and that it did fail to do so leading to this injury.

d) **GENERAL DESCRIPTION OF DAMAGES INCURRED**

As a result of the collision Mr. Dolan suffered a fractured distal clavical (right) and a fractured navicular bone (left hand). He also sustained damage to his motorcycle in the amount of \$2,000.00.

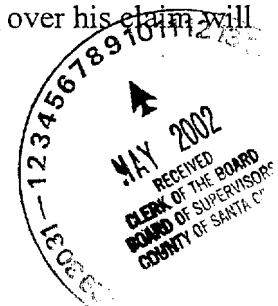
Due to the injuries he sustained in the accident, Mr. Dolan's activities have been severely limited, and he has experienced significant pain and suffering, emotional distress, and wage loss. It is expected that the value of his special and general damages will exceed \$10,000.00.

e) **THE NAMES OF THE PUBLIC EMPLOYEES CAUSING THE INJURY OR DAMAGE**

1. City and County of Santa Cruz
2. Unknown employees of City and County of Santa Cruz

f) **AMOUNT CLAIMED**

Pursuant to California Government Code, section 910, subsection(f), Mr. Dolan states that his claim is in excess of \$10,000.00, and is in an amount such that jurisdiction over his claim will rest with the Superior Court of the State of California.



Please find enclosed an additional copy of this letter enclosed. We request that you return an endorsed date-stamped copy of this letter in the enclosed return envelope:

Very truly yours,

Christopher B. Dolan, Esq.

