



## ***SOUTH FEATHER WATER & POWER AGENCY***

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**TO:** Board of Directors

**FROM:** Michael Glaze, General Manager

**DATE:** May 21, 2008

**RE:** Rejection of Property Damage Claim - White  
Agenda Item for 8/25/09 Board of Directors Meeting

A property damage claim has been received from Stephen White for damage to his vehicle that resulted from an accident involving an Agency Water Division employee and vehicle. A copy of the claim (received August 3, 2009) is attached and alleges that Mr. White's vehicle was struck from behind while they were following a pilot car through a construction zone on LaPorte Road near Clipper Mills.

This matter has been referred to the Agency's insurance provider, ACWA-JPIA. However, as with other property damage claims, , who has now asked that the attached claim-rejection letter be sent.

Please consider the following action:

**"I move authorization for the General Manager to execute and send the claim-rejection letter prescribed by ACWA-JPIA regarding Stephen White's property damage claim that was filed with the Agency on August 3, 2009."**

# **SOUTH FEATHER WATER & POWER AGENCY**

MICHAEL C. GLAZE, GENERAL MANAGER

2310 ORO-QUINCY HIGHWAY  
OROVILLE, CALIFORNIA 95966  
530-533-4578, EXT. 209  
530-533-3968 (FAX)

GLAZE@SOUTHFEATHER.COM



August 25, 2009

Stephen White  
2350 Thompson Court  
Mountain View, California 94043

Re: Property Damage Claim

Dear Mr. White:

Notice is hereby given that the claim you presented to South Feather Water and Power Agency on August 3, 2009 was rejected today, August 25, 2009 by the Board of Directors of South Feather Water and Power Agency.

## WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a State Court Action on this claim. See California Government Code §945.6. Your time for filing an action in federal court may be less than this six months.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

In providing this notice, or by any other action it has taken on this claim, South Feather Water and Power Agency does not intend to relinquish or waive any of its legal claims requirements or any rights or defenses potentially available to South Feather Water and Power Agency or its officers, directors, employees, or agents.

Should you file a lawsuit in this matter which is determined to be in bad faith and without reasonable cause, please be advised that South Feather Water and Power Agency will attempt to recover all of its defense costs from you as allowed by California Code of Civil Procedure §128.5 and §1038.

If you have any questions about your claim, or this letter, please call the undersigned at 530-533-4578, ext. 209, or our claims administrator, Cece Wuchter, at 800-231-5742.

Sincerely,  
South Feather Water and Power Agency

Michael C. Glaze, General Manager

# Claim Form

(A claim shall be presented by the claimant or by a person acting on his behalf.)

## NAME OF DISTRICT:

1	Claimant name, address (mailing address if different), and phone number. Name: <u>Stephen Lawrence White</u> Address(es): <u>2350 Thompson Court</u> <u>Mountain View, CA 94043</u> Phone Number: <u>650 961-5923</u>
2	List name, address, and phone number of any witnesses. Name: <u>Todd French</u> Address: <u>P.O. Box 5462, Petaluma, CA 94955</u> Phone Number: <u>707 483-5245</u>
3	List the date, time, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted. Date: <u>7/22/2009</u> Time: <u>09:20 AM</u> Place: <u>Yuba County (near Clipper Mills), CA</u> (near <u>19855 BARTON HILL RD (AKA LaPerte Drive)</u> ) Tell What Happened (give complete information): <u>I had been following a lead truck through a road-work construction segment of the road. (Estimated speed 5MPH) At the end of the designated segment the lead truck, immediately in front of me, pulled over to the right shoulder. The driver of the truck, using the index finger of his left hand in a quick repetitive motion, signalled me to pull up behind him. As I did so, moving about 5mph, I was struck from behind by a truck.</u> NOTE: Attach any photographs you may have regarding this claim.
4	Give a general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim. <u>At the time of the accident my car was in perfect condition with lower than average miles; it was certainly worth full Bluebook retail value. The car was, for a practical purposes, totally destroyed. (See photos and repair estimate). I've needed to rent a car to use for transportation since the time of the accident.</u>
5	Give the name or names of the public employee or employees causing the injury, damage, or loss, if known. <u>Jerry Wayne Gentry</u>
6	The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. <u>My Ford Escort's Blue book retail value is about \$4800. I pay approximately \$50 a day for the rental car I use now. I put 4 Michellin tires on the car a few months ago. I would need to have my tags, sales tax, registration fee paid for as well. \$6000 would be the total amount of my loss.</u>
Date: <u>31 July '09</u> Time: <u>07:30 AM</u> Signature: <u>Stephen L. White</u>	

ANSWER ALL QUESTIONS. OMITTING INFORMATION COULD MAKE YOUR CLAIM LEGALLY INSUFFICIENT!