

ORIGINAL

LIABILITY CLAIM AGAINST THE CITY OF LEMOORE

RECEIVED

For Damages to Persons and Personal Property
(Government Code Sections 905, 910, 910.0)

JUN 29 2009

TO: CITY CLERK
CITY OF LEMOORE
119 Fox Street
Lemoore, CA 93245

CITY CLERK'S OFFICE

TO THE CITY OF LEMOORE, CALIFORNIA:

The undersigned respectfully submits the following claim and information.

(A) THE NAME AND ADDRESS OF CLAIMANT:

1. Lemoore Chamber of Commerce
2. C/O: Larry F. Peake of Wall, Wall & Peake: 1601 'F' Street, Bakersfield, CA 93301
3. (661) 327-8461

(B) THE POST OFFICE (OR OTHER) ADDRESS TO WHICH THE PERSON REPRESENTING THE CLAIM DESIRES NOTICES TO BE SENT:

4. Larry F. Peake
Wall, Wall & Peake
1601 'F' Street
Bakersfield, CA 93301

(C) THE DATE, PLACE OR OTHER CIRCUMSTANCES OR THE OCCURRENCE OR TRANSACTION WHICH GAVE RISE TO THE CLAIM ASSERTED.

5. DATE: 12/1/07
6. TIME: Uncertain
7. PLACE: Near 400 Follett Street, Lemoore, CA
8. **CIRCUMSTANCES:** Plaintiffs allege that injuries occurred to Roxann Diaz when a horse being ridden by Arlindo Brasil stepped on her while she was in the company of Beverly Garza (her mother) and Anthony Diaz (her father).

9. **NATURE/DESCRIPTION OF INJURIES/DAMAGES:** Claim for indemnification, both equitable and otherwise, by Lemoore Chamber of Commerce as to the City of Lemoore for injury and damage claims brought by Roxanne Brasil, Beverly Garza and Anthony Diaz.
10. **IF NO INJURIES SO STATE:** Indemnification sought for claimed injuries to Roxann Diaz as well as injuries and damages sought by Beverly Garza and Anthony Diaz.
11. **WITNESSES/PUBLIC EMPLOYEES:** Uncertain as to all of the witnesses, but would include the following: Roxanne Diaz, Beverly Garza, Anthony Diaz, Arlindo Brasil, Johnny Labandera, Police Officer Mundy, Police Officer Dwight Young, possibly fire department personnel and other police officers, and ambulance personnel.
12. **NAME OR NAMES OF THE PUBLIC EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGE OR LOSS IF KNOWN:**


Unknown at this time.
13. **WHAT ACT/ACTION OF CITY EMPLOYEES CAUSED THE INJURY/DAMAGE?**

Conduct relating to providing police security personnel, control of city's streets with respect to pedestrians/plaintiffs, maintenance and control of city streets.
14. **AMOUNT CLAIMED TO DATE:** Amount not established, but more than \$25,000.00 jurisdictional limit in unlimited superior court for indemnification for injury and damage claims brought by Roxann Diaz, Anthony Diaz and Beverly Garza.
15. **ESTIMATED FUTURE COSTS:** Amount unknown at this time.
16. **BASIS OF COMPUTATION OF CLAIM:** Indemnity, contribution.
17. **AMOUNT OF TOTAL CLAIM:** Amount unknown at this time.

The undersigned states that he is the person making the above stated claim or is the a person representing said claim and acting on behalf of the claimant above-named, and declares under penalty of perjury that the foregoing is true and correct insofar as is known as of this date.

Executed at Bakersfield, California this 26 day of June, 2009.

WALL, WALL & PEAKE



LARRY F. PEAKE

