



May 22, 2009

BOARD OF DIRECTORS MEETING
FRIDAY, MAY 22, 2009

5. CONSENT CALENDAR:

- A.** Approve the Minutes of the Following Meetings:
To Be Announced.

Motion

B. Attorney's Report
Denial of Claims

1. Claim of Malfred Spencer
2. Insufficient Claim of Jackie Cole for Austin Cole
3. Subrogation Claim of Allied Insurance
(Insured: Arah Lacambra)
4. Claim of Janis Reno

Motion

Motion

Motion

Motion

C. Meeting of the Finance-Auditing Committee/Committee of the Whole
April 23, 2009
Chair J. Dietrich Stroeh

1. Ratification of Actions by the Auditor-Controller
 - a. Ratify Commitments and/or Disbursements;
 - b. Ratify Previous Investments;
 - c. Authorize Investments; and,
 - d. Investment Report, March 2009

Resolution

Attachments

Memorandum

TO: Board of Directors
FROM: David J. Miller
DATE: May 12, 2009
RE: Board Meeting on May 22, 2009

Claim of Malfred Spencer

The District received a claim on behalf of Malfred Spencer alleging personal injuries in the amount of \$500,000.00. Claimant alleges that on October 21, 2008, a District supervisor mistreated him and was negligent when she informed him that one of his two tickets was invalid as he boarded a District bus at Kaiser Hospital in Terra Linda, and later refused his request for a courtesy transfer. The claimant alleges that as a result he has suffered a recurrence of Post Traumatic Stress Syndrome episodes. The claim has been forwarded to John Glenn Adjusters.

Recommend denial of the claim.

Insufficient Claim of Jackie Cole for Austin Cole

The District received an insufficient claim on behalf of Jackie Cole for Austin Cole alleging personal injuries. Claimant Jackie Cole alleges that on October 18, 2008, as she was disembarking from a District bus, carrying her baby, Austin Cole, the doors of the bus closed on his head. As a result of the incident Austin Cole allegedly suffered a closed head injury. The claim is insufficient in that it fails to state the amount of the claim, if the claim is less than \$10,000.00, or, alternatively, if the amount exceeds \$10,000.00, indicate whether the claim would be a limited civil case. The claim has been forwarded to John Glenn Adjusters.

Recommend the claim be denied as insufficient and on its merits.

Subrogation Claim of Allied Insurance (Insured: Arah Lacambra)

The District received a subrogation claim on behalf of Allied Insurance (Insured: Arah Lacambra) alleging property damage in the amount of \$2,265.01. The claimant alleges that on March 9, 2009, a District vehicle collided with the insured's vehicle as the insured was proceeding straight through an intersection in the far left lane on 12th Street in Oakland. Claimant asserts that the driver of the District vehicle attempted to turn left from the lane to the right of the insured. The District vehicle involved was a non-revenue vehicle. As a result of the incident the entire passenger side of the insured's vehicle was allegedly damaged. The claim has been forwarded to John Glenn Adjusters.

Recommend denial of the claim.

Memorandum To:
Board of Directors
May 12, 2009
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Claim of Janis Reno

The District received a claim on behalf of Janis Reno alleging property damage in the amount of \$1,032.19. Claimant alleges that on March 19, 2009, a District bus struck her vehicle as she was stopped in traffic waiting at a red traffic signal, at the end of a block near the intersection of Hetherton and 4th Streets in San Rafael. The claimant alleges that the bus scraped the rear bumper of her vehicle as the bus executed a turn at the intersection. The claim has been forwarded to John Glenn Adjusters.

Recommend denial of the claim.

Respectfully submitted,



DAVID J. MILLER

DJM:aer