



July 17, 2009

**BOARD OF DIRECTORS MEETING**  
**FRIDAY, JULY 24, 2009**

**5. CONSENT CALENDAR:**

**A. Approve the Minutes of the Following Meetings:**

1. Regular Meetings of the Board of Directors of July 10, 2009.

**Motion**

**B. Attorney's Report**

**Denial of Claims**

1. Claim of Joyce Goerndt
2. Claim of Miriam Hinds
3. Claim of R. Stan Urban
4. Amended Claim of Shelby Brock
5. Claim of David Giron Rodas

**Motion**

**Motion**

**Motion**

**Motion**

**Motion**

Attachments

**Agenda Item No. 5**



***MEMORANDUM***

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**TO:** President Albert J. Boro and Members, Board of Directors

**FROM:** Janet S. Tarantino, Secretary of the District

**DATE:** July 17, 2009

**SUBJECT:** **AGENDA ITEM FOR JULY 24, 2009, MEETING OF THE BOARD OF DIRECTORS**

**Agenda Item No. 5., Consent Calendar**

The following portion of the Consent Calendar relative to the approval of minutes will be available on the day of the meeting:

1. Regular Meetings of the Board of Directors of July 10, 2009.

JST:plw

## Memorandum

**TO:** Board of Directors  
**FROM:** David J. Miller  
**DATE:** July 14, 2009  
**RE:** Board Meeting on July 24, 2009

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### **Claim of Joyce Goerndt**

The District received a claim on behalf of Joyce Goerndt alleging personal injuries in the amount of \$10,000.00. Claimant alleges that on April 3, 2009, while she was a passenger on a District bus traveling southbound on Highway 101 in San Rafael, the bus collided with a vehicle in front of the bus. The claimant asserts that as she braced herself with her foot on the seat in front of her, her upper body was thrown forward with the force of the impact. As a result of the incident, the claimant allegedly suffered a whiplash injury with neck pain, back pain, and muscle spasms in her back. Claimant further alleges that she missed time from work and received medical treatment. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the claim.**

### **Claim of Miriam Hinds**

The District received a claim on behalf of Miriam Hinds alleging personal injuries in an amount in excess of \$25,000.00. Claimant alleges that on December 22, 2008, she was riding her bicycle on Pine Street in San Francisco between two buses, one of which was stopped and the other of which was moving slowly, when the District bus on her left accelerated and cut her off. The claimant asserts that she fell after getting caught on the faulty wheel flap of the bus. As a result of the incident the claimant allegedly sustained two lacerations to her left knee, one of which required stitches. Claimant further alleges that she lost wages and incurred medical expenses. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the claim.**

### **Claim of R. Stan Urban**

The District received a claim on behalf of R. Stan Urban alleging personal injuries and property damage in the amount of \$800.00. Claimant alleges that on May 28, 2009, he fell as he was riding his bicycle on East Blithedale Avenue in Mill Valley, when a District bus forced him off the road as the bus pulled over abruptly in front of a bus stop to discharge passengers. As a result of the incident the claimant allegedly sustained scrapes and road rash on his right hip and cuts on his right elbow. Claimant further alleges that his clothing was damaged and his bicycle and bicycle components were scraped. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the claim.**

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**Amended Claim of Shelby Brock**

The District received an amended claim on behalf of Shelby Brock alleging personal injuries in the amount of \$5,040.00. Claimant alleges that on January 7, 2009, she was thrown forward in her seat on a District bus when the bus made a sudden stop near the intersection of Beach Street and The Embarcadero in San Francisco. As a result of the incident the claimant allegedly sustained a whiplash injury to her neck and back. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the amended claim.**

**Claim of David Giron Rodas**

The District received a claim on behalf of David Giron Rodas alleging property damage in the amount of \$1,249.12. Claimant alleges that on June 8, 2009, a District bus struck his vehicle while the vehicle was parked on the street near the intersection of Medway Road and Canal Street in San Rafael. As a result of the incident, the claimant's vehicle allegedly sustained damage to the front end. The claim has been forwarded to John Glenn Adjusters.

**Recommend denial of the claim.**

Respectfully submitted,

  
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DAVID J. MILLER

DJM:aer