

TERRY SINGLETON, A.P.C.

LAWYERS
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April 2, 2015

Sweetwater Union High School District
1130 Fifth Avenue
Chula Vista, CA 91911

Attn: Risk Management

Re: Claim for [REDACTED]

Dear Sir or Madam:

Enclosed please find the original and one copy of the claim for [REDACTED]. Please file the original claim and return a conformed copy to our office in the enclosed self-addressed stamped envelope.

We appreciate your assistance and cooperation in this matter. Should you have any questions with regard to this correspondence, please do not hesitate to call our office.

Sincerely,

TERRY SINGLETON, A.P.C.



Maria Qualls
Assistant to
TERRY SINGLETON

Enclosure(s): As Stated

RECEIVED
APR 2 2015
RISK MANAGEMENT

CLAIM AGAINST THE SWEETWATER UNION HIGH SCHOOL DISTRICT
 1130 Fifth Avenue
 Chula Vista, CA 91911
 ATTN: Risk Management
 (619) 407-4900

NAME OF CLAIMANT	MAILING ADDRESS	ZIP	TELEPHONE
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<div style="background-color: black; width: 100%; height: 1.2em;"></div>	c/o TERRY SINGLETON, APC 1950 Fifth Avenue, Suite 200, San Diego, CA 92101		(619) 239-3225
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INSTRUCTIONS

Claims against the above school district must be filed with the Board of Education within six (6) months after incident occurred as required by Government Code Section 911.2.

Where space is insufficient, please use additional paper, include your name, identify each item of information by the appropriate paragraph number and sign each sheet.

1. OCCURRENCE OR TRANSACTION CAUSING THIS CLAIM

DATE	TIME	PLACE
3/20/15	Approximately 10:00 a.m.	Eastlake Middle School

2. STATEMENT OF INCIDENT (Specify the particular act or omission you claim caused the injury, damage or loss, if known.)

See Attached

3. DESCRIPTION OF CIRCUMSTANCES

STATEMENT OF HOW THE DISTRICT OR ITS EMPLOYEES WERE AT FAULT (Include names of persons causing injury damage or loss - if not known, state "not known.")

See Attached

4. DESCRIPTION OF INCURRED INDEBTEDNESS, OBLIGATION, INJURY, DAMAGE OR LOSS

<p>a. GENERAL DESCRIPTION: (So far as known as of the date of this claim)</p> <p style="text-align: center;">See Attached</p> <p>b. NAME OF PERSONS/s CAUSING THE ABOVE</p> <p style="text-align: center;">See Attached</p>	<p>c. NAME OF PERSON INJURED</p> <p style="text-align: center;"><div style="background-color: black; width: 100%; height: 1.2em;"></div></p> <p>DESCRIPTION OF PERSONAL INJURY</p> <p style="text-align: center;">See Attached</p> <p>d. NAME OF PROPERTY OWNER</p> <p>DESCRIPTION OF PROPERTY DAMAGED</p>
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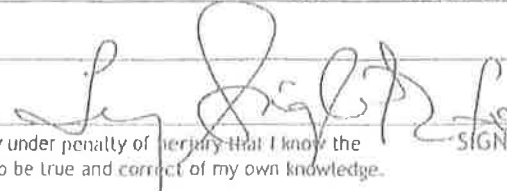
5. CLAIM

<p>a. AMOUNT CLAIMED AS OF DATE OF THIS CLAIM: \$ See Attached</p> <p>b. ESTIMATED AMOUNT OF ANY PROSPECTIVE INJURY, DAMAGE OR LOSS. \$ See Attached</p>	<p>c. TOTAL AMOUNT OF CLAIM: \$ See Attached (Attach estimates or bills in support of claim.)</p> <p>d. BASIS OF COMPUTATION OF AMOUNT CLAIMED</p> <p style="text-align: center;">See Attached</p>
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6. EYEWITNESSES, ATTENDING PHYSICIAN, HOSPITAL, ETC.

NAME	ADDRESS	TELEPHONE
See Attached		

I certify under penalty of perjury that I know the above to be true and correct of my own knowledge.

 SIGNATURE OF CLAIMANT	3/31/15 DATE OF CLAIM
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(IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL PAGES AS NECESSARY.)

ATTACHMENT TO
CLAIM OF [REDACTED]

Name, Address of Claimant and claimant's personal representative;

This claim involves the Sweetwater Union High School District, their agents, representatives and/or employees. Claimant is [REDACTED] who is [REDACTED] years old. The claimant is a student at Eastlake Middle School. His parents and anticipated Guardians ad Litem are [REDACTED] and [REDACTED]

Claimant's address is [REDACTED] His phone number is [REDACTED]

Notices concerning this claim should be sent to:

Claimant c/o Terry Singleton, Esq., Law Office of Terry Singleton, A.P.C., 1950 Fifth Avenue, Suite 200, San Diego, California 92101; (619) 239-3225 or Co-Counsel, Horacio Barraza, Esq., Law Office of Horacio Barraza, A.P.C., 1950 Fifth Avenue, Suite 200, San Diego, California 92101; (619) 239-3225.

1. Occurrence or Transaction Causing this Claim:

Claimant, [REDACTED] is a student at Eastlake Middle School located at 900 Duncan Ranch Road, Chula Vista, CA 91914. On March 20, 2015, Claimant was in physical education class (P.E.) just before 10:00 a.m., when he was playing on or around the soccer goals. At that time, the goal post either collapsed on Claimant or toppled over on him hitting Claimant in the head and body. As a result, the Claimant sustained serious injuries.

2. Statement of Incident:

On March 20, 2015, just before 10:00 a.m., Claimant was in his physical education class when he was playing on or around the soccer goal posts on the playground located on school premises at Eastlake Middle School. At that time, a soccer goal post which was NOT anchored or tied down in any manner, collapsed on Claimant or toppled over onto him hitting Claimant in the head and body. As a proximate result, Claimant sustained the severe injuries and damages as herein alleged.

3. Description of Circumstances:

At the time of the incident, Claimant was in his physical education class at Eastlake Middle School and was playing on or around the soccer goal posts. At the time, Claimant's physical education coach, his teachers and other school employees failed to adequately supervise

the children playing in the playground area during physical education such that this event occurred. Further, the physical education coaches, teachers, maintenance personnel, school grounds personnel and/or other school employees whose identities have not yet been ascertained negligently failed to select, install, erect, inspect, anchor, and maintain the soccer goal posts to ensure they were safe for students to play with and around. These employees failed to adequately select, install, erect, inspect, anchor and maintain the soccer goal posts to ensure they would not create a danger to the children playing on the school grounds and further failed to warn such students of the danger that existed as a result of their negligent acts and omissions to include their negligent ownership of the premises and equipment; supervision of students and equipment; as well as equipment selection, equipment installation, inspection, repair, maintenance and control of the premises and playground equipment. As a result of those negligent acts and omissions, Claimant [REDACTED] sustained serious injuries and damages.

The Sweetwater Union High School District employees, agents and/or representatives, and each of them, had a duty to properly own, lease, operate, inspect, repair, manage, maintain, direct, control, supervise and ensure that Eastlake Middle School was in a safe condition so as to avoid subjecting the Claimant, and others, to unreasonable risks of harm. At all times herein mentioned, the Sweetwater Union High School District and/or the Eastlake Middle School employees, agents and/or representatives, breached their duty of reasonable care in that they negligently and carelessly owned, leased, operated, inspected, repaired, managed, maintained, directed, controlled, supervised and secured the aforesaid school grounds and equipment, thereby creating a dangerous condition when the grounds and equipment were unsafe and in a dangerous state.

The Sweetwater Union High School District employees, agents, and/or representatives, also had a duty to supervise their students to ensure they were not injured or hurt while playing on school grounds or school equipment. The District employees and agents knew or, in the exercise of reasonable care, should have known that in failing to properly supervise the students, would create a dangerous condition on the school grounds. Notwithstanding, the Sweetwater Union High School District and the Eastlake Middle School employees, agents, and/or representatives, and each of them, failed to supervise the students and/or take steps to either make the condition safe or warn the Claimant of the dangerous condition on the premises.

As a proximate result of the conduct by the Sweetwater Union High School District United employees, agents, and/or representatives, Claimant sustained the injuries and damages as herein alleged.

4. Description of Incurred Indebtedness, Obligation, Injury, Damage or Loss:

After this incident, Claimant was transported by helicopter to [REDACTED] where he has remained in [REDACTED]. As far as presently known, Claimant [REDACTED] [REDACTED] has suffered a [REDACTED] which has resulted in [REDACTED] since the date of his arrival at the hospital. He has been treated by the doctors, nurses and other care practitioners at [REDACTED]. The names and titles of all of Claimant's doctors

are not known at this time. Claimant is also uncertain as to the amount of the medical bills that have been incurred or will be incurred in the future.

Claimant, [REDACTED] injuries as far as presently known, are the mental, physical injuries and nervous pain and suffering caused by the incident as well as the resulting physical impairment and disabilities. Claimant has incurred medical expenses and continues to incur medical expenses. In addition, Claimant will incur expenses in the future for medical treatment and other care. Further, it is anticipated that that he has also sustained the loss of future earning capacity, loss of and impairment of enjoyment of life and pain and suffering.

5. Claim:

As the amount of medical bills to date or the amount of future medical bills as well as the loss of future earning capacity are unknown as of this date, Claimant makes his claim in excess of the jurisdictional limits of the Superior Court having jurisdiction over the subject matter and hereby makes his claim for an amount in excess of \$10,000,000.00.

6. Witness:

While Claimant remains hospitalized at [REDACTED] the names of all of his doctors and care providers is unknown at this time. The names of the Sweetwater Union High School District employees, agents and/or representatives, or other individuals who are responsible for causing Claimant's injuries and damages are unknown at this time. It is believed there were other students who may have witnessed this accident as well. Their identity is also unknown at this time. Investigation and discovery is continuing.