



CORSIGLIA
McMAHON &
ALLARD

BRADLEY M. CORSIGLIA
TIMOTHY D. McMAHON
B. ROBERT ALLARD

MARK A. SIGALA
LAUREN A. CERRI
MARK J. BOSKOVICH
BEN H. STODDARD

OF COUNSEL
NORMAN W. SAUCEDO

VIA HAND DELIVERY

January 14, 2019

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

Re: Our Client: Anthony McGilvery
Date of Loss: July 25, 2018

To Whom It May Concern,

Enclosed please find claim presentation for personal injury of claimant Anthony McGilvery presented pursuant to the California Tort Claims Act (Gov. Code §§ 810 - 996.6).

Notices related to this claim should be sent to Ben Stoddard, Esq., Corsiglia McMahon & Allard, LLP, 96 North Third Street, Suite 620, San Jose, CA 95112.

Very truly yours,

CORSIGLIA McMAHON & ALLARD, LLP

BEN H. STODDARD
BHS/jp
Enclosure

PRESENTATION OF CLAIM AGAINST SANTA CLARA VALLEY WATER DISTRICT

CLAIMANT NAME:

Anthony McGilvery

CLAIMANT ADDRESS:

1470 Jasmine Way, Morgan Hill, CA 95037

ADDRESS NOTICES ARE TO BE SENT TO:

Corsiglia McMahon & Allard LLP, 96 N. 3rd Street, #620 San Jose, CA 95112

DATE OF INCIDENT:

July 25, 2018

PLACE OF INCIDENT:

Coyote Creek Trail, Santa Clara County

CIRCUMSTANCES GIVING RISE TO CLAIM:

The Santa Clara Valley Water District has been releasing water from dams, reservoirs, and/or other structures, causing periodic flooding of the Coyote Creek Trail in Santa Clara County. The flooding has caused algae growth on part of the paved trail which is used by bicyclists. On July 25, 2018, Claimant was riding on a paved portion of the Coyote Creek Trail and rode his bicycle over a part of the pavement that was flooded at the time and covered in algae growth, due to Santa Clara Valley Water District's release of water. The flooding and algae caused his tires to lose traction and Claimant crashed his bicycle as a result. The Santa Clara Valley Water District knew or should have known that it was causing flooding to portions of Coyote Creek Trail used by bicyclists, yet it did nothing to warn against, protect against, or prevent the flooding or algae growth that posed a dangerous condition to bicyclists.

DESCRIPTION OF INJURY:

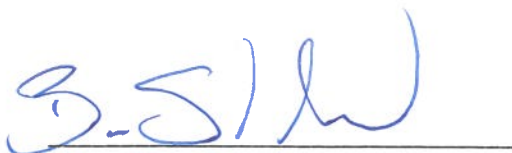
Chest and rib contusions, fractured right clavicle.

NAME(S) OF PUBLIC EMPLOYEE(S) CAUSING INJURY, IF KNOWN:

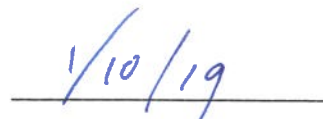
Unknown at this time.

AMOUNT CLAIMED:

Claimant Anthony McGilvery seeks special and general damages in an amount in excess of the minimal jurisdiction of the Superior Court of the State of California. Amount claimed is in excess of \$25,000.00.



Ben H. Stoddard, Esq.
CORSIGLIA, McMAHON & ALLARD, LLP
Attorney for Claimant Anthony McGilvery



Date

'19 JAN 14 PM 3:35
cc: CEO
COB
Cancel
Risk





Date 07.25.20

THIS PAGE INTENTIONALLY LEFT BLANK