

Government Claims Form

California Victim Compensation and Government Claims Board
 P.O. Box 3035
 Sacramento, CA 95812-3035

1-800-955-0045 • www.governmentclaims.ca.gov

State of California

For Office Use Only
 Claim No.:

Is your claim complete?

- New! Include a check or money order for \$25 payable to the State of California.**
- Complete all sections relating to this claim and sign the form. Please print or type all information.
- Attach receipts, bills, estimates or other documents that back up your claim.
- Include two copies of this form and all the attached documents with the original.

Claimant Information

1 **Clifton Court LP** 2 Tel: **916 408 3676**
Last name First Name MI

3 Email: **smoorerg@yahoo.com**

4 **1584 Summerhill Lane** **Lincoln** **CA** **95648**
Mailing Address City State Zip

5 Best time and way to reach you: **M-F 8-5 email**

6 Is the claimant under 18? Yes No If YES, give date of birth:
MM DD YYYY

Attorney or Representative Information Trustee

7 **Moore, Sheldon G.** 8 Tel: **916 408 3676**
Last name First Name MI

9 Email: **smoorerg@yahoo.com**

10 **1584 Summerhill Lane** **Lincoln** **CA** **95648**
Mailing Address City State Zip

11 Relationship to claimant: **Trustee of Clifton Court LP**

Claim Information

12 Is your claim for a state-dated warrant (uncashed check) or unredeemed bond? Yes No
 State agency that issued the warrant: _____ If NO, continue to Step 13
 Dollar amount of warrant: _____ Date of issue:
MM DD YYYY
 Proceed to Step 13

13 Date of Incident: **Ongoing expenses until rectified by State**
 Was the incident more than six months ago? Yes No
 If YES, did you attach a separate sheet with an explanation for the late filing? Yes No

14 State agencies or employees against whom this claim is filed:
Department of Water Resources - Clifton Court Forebay

15 Dollar amount of claim: **\$30,000 +**
 If the amount is more than \$10,000, indicate the type of civil case: Limited civil case (\$25,000 or less) Non-limited civil case (over \$25,000)
 Explain how you calculated the amount:
Manpower, materials, equipment for squirrel control.

10 Location of the incident:
 7555 Herdlyn Rd, Discovery Bay, CA 94505 - Adjacent to Clifton Ct.

17 Describe the specific damage or injury: Forebay
 • Crop damage/elimination caused by squirrels
 • levee holes, field holes.
 • Cost of Squirrel Control.

18 Explain the circumstances that led to the damage or injury:
 DWR's failure to control squirrels at Clifton Ct Forebay created squirrel infestation. Thousands of squirrels - Allan Davis Supervising Land Agent of DWR gave forms - Well

19 Explain why you believe the state is responsible for the damage or injury: aware of problems.
 Squirrels live behind fence of Forebay. They eat crops and dig holes in fields of our farm.

20 Does the claim involve a state vehicle? Yes No
 If YES, provide the vehicle license number, if known:

Auto Insurance Information

21

Name of Insurance Carrier

Mailing Address City State Zip

Policy Number: Tel: _____

Are you the registered owner of the vehicle? Yes No
 If NO, state name of owner:

Has a claim been filed with your insurance carrier, or will it be filed? Yes No
 Have you received any payment for this damage or injury? Yes No
 If yes, what amount did you receive?

Amount of deductible, if any:

Claimant's Drivers License Number: Vehicle License Number:

Make of Vehicle: Model: Year:

Vehicle ID Number:

Notice and Signature

22 I declare under penalty of perjury under the laws of the State of California that all the information I have provided is true and correct to the best of my information and belief. I further understand that if I have provided information that is false, intentionally incomplete, or misleading I may be charged with a felony punishable by up to four years in state prison and/or a fine of up to \$10,000 (Penal Code section 72).

[Signature] May 26, 2012
 Signature of Claimant or Representative Date

23 Mail the original and two copies of this form and all attachments with the \$25 filing fee or the "Filing Fee Waiver Request" to: Government Claims Program, P.O. Box 3035, Sacramento, CA, 95812-3035. Forms can also be delivered to the Victim Compensation and Government Claims Board, 400 R St., 5th flr, Sacramento.

For State Agency Use Only

24

Name of State Agency Fund or Budget Act Appropriation No.

Name of Agency Budget Officer or Representative Title

Signature Date

EXPENSES RELATED TO STATE NEGLECT

Squirrel grain bait		\$9573
Bait stations and Owl boxes		2590
Undermined concrete ditch repair	½ \$6318	3159
Gate & fence repair	½ \$4904	2452
Laser level squirrel cause subsidence	½ \$22560	11280
Labor squirrel control Nov 2011-Jan 2012		25361
Management overhead plus labor taxes- 15% X \$54415		8162
2011 crop loss		9500
Total of above expenses		\$63915

My entire life, after graduating from UCB and serving our country as a pilot in SAC, has been in agricultural management. I operated in agriculture production that was not government subsidized and competed in a world market.

I cannot bear the burden that the government of the State of California is forcing upon me.

I would be most happy to answer any questions.

Sheldon G. Moore, General Partner
Clifton Court, L.P.



VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD

STATE OF CALIFORNIA
EDMUND G. BROWN JR., Governor

GOVERNMENT CLAIMS PROGRAM
400 R Street, 5th Floor • Sacramento, California 95811
Mailing Address: P.O. Box 3035 • Sacramento, California 95812
Toll Free Telephone Number 1-800-955-0045 • Fax Number: (916) 491-6443
Internet: www.vcgcb.ca.gov

ANNA M. CABALLERO
Secretary
State and Consumer Services Agency
Chairperson
JOHN CHIANG
State Controller
Board Member
MICHAEL A. RAMOS
San Bernardino County District Attorney
Board Member
JULIE NAUMAN
Executive Officer

Sheldon G Moore
1584 Summerhill Lane
Lincoln, CA 95648

June 20, 2012

RE: Claim G604911 for Clifton Court LP

Dear Sheldon Moore,

The Victim Compensation and Government Claims Board (VCGCB) received your claim on May 31, 2012.

Your claim is accepted only to the extent that it was presented no later than six months after the accrual of the cause of action.

Based on its review of your claim, Board staff believes that the court system is the appropriate means for resolution of these claims, because the issues presented are complex and outside the scope of analysis and interpretation typically undertaken by the Board. The VCGCB will act on your claim at the August 16, 2012, hearing. You do not need to appear at this hearing. The VCGCB's rejection of your claim will allow you to initiate litigation should you wish to pursue this matter further.

If you have questions about this matter, please mention letter reference 52 and claim number G604911 when you call or write your claim technician or analyst at (800) 955-0045.

*Melissa spoke w/ 8-3-12
Analyst: Tamara*

Sincerely,

Government Claims Program
Victim Compensation and Government Claims Board

*1st Floor Sac. River Room
10 A.M.*

cc: A-36 Water Resources

Ltr 52 Complex Issue Reject - 6 Month Qualify

- Eleanor Michaud
- Hearing Coordinator



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Executive Officer

Sheldon G Moore
1584 Summerhill Lane
Lincoln, CA 95648

August 16, 2012

RE: Claim G604911 for Clifton Court LP

Dear Sheldon Moore,

The Victim Compensation and Government Claims Board rejected your claim at its hearing on August 16, 2012.

If you choose to pursue court action in this matter, it is not necessary or proper to include the Victim Compensation and Government Claims Board (Board) in your lawsuit unless the Board was identified as a defendant in your original claim. Please consult Government Code section 955.4 regarding proper service of the summons.

If you have questions about this matter, please mention letter reference 18 and claim number G604911 when you call or write your claim technician or analyst at (800) 955-0045.

Sincerely,

Jacqueline B. Tinetti, Program Manager
Government Claims Program
Victim Compensation and Government Claims Board

cc: A-36 Water Resources

Warning

Subject to certain exceptions, you have only six months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Ltr 18 Board Claim Rejection



STATE OF CALIFORNIA
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 Secretary
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 State Controller
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JULIE NAUMAN
 Executive Officer

August 28, 2012

Mr. Mark Cowin, Director
 California Department of Water Resources
 P.O. Box 942836, Room 1115-1
 Sacramento, CA 94236-0001

Re: Claim of Clifton Court LP

Dear Director Cowin:

On behalf of Secretary Anna Caballero, and pursuant to your telephone conversation with her last week, I am sending additional information regarding a Victim Compensation and Government Claims Board (Board) meeting item. On August 16, 2012, the Board heard the claim of Clifton Court LP (CCLP) against the Department of Water Resources (DWR) for ongoing damages to CCLP crops. Specifically, CCLP alleged that DWR, as owner of property adjacent to CCLP, has repeatedly failed to control the squirrel population on DWR land resulting crop damage, holes in CCLP fields, and holes in the levee behind the property. In her presentation to the Board, a representative of CCLP stated they have spent at least \$30,000 over many years mitigating the damage caused by squirrels. CCLP is willing and able to partner with DWR to control the squirrel population, but has been unable to meet with a representative of DWR to discuss the issue.

Although, the Board rejected CCLP's claim because it raised issues of fact and law beyond the scope of interpretation and analysis typically undertaken by the Board, Secretary Caballero and I encourage your department to meet with CCLP to discuss a plan to both control the squirrel population, and compensate CCLP for its losses.

Sincerely,

Julie Nauman, Executive Officer
 California Victim Compensation
 and Government Claims Board

cc. Clifton Court LP