

City of El Segundo  
 350 Main Street  
 El Segundo, California 90245  
 (310) 524-2307

CLAIM NO.:

11-3  
 RECEIVED BY  
 CITY CLERK'S OFFICE  
 8:30 AM 07/13/11

INSTRUCTIONS

- a Claims for death, injury to person or to personal property must be filed not later than **six months** after the occurrence (Govt Code Sec. 911 2)
- b Other claims for damages must be filed not later than **one year** after the occurrence (govt Code Sec 911 2)
- c Read the entire claim before filing
- d Attach and sign additional supportive sheets , if necessary
- e The claim form must be **signed and witnessed**.
- f **This claim form must be filed with the Office of the City Clerk (Govt. Code Sec. 915a).**

TO CITY OF EL SEGUNDO, 350 MAIN STREET, EL SEGUNDO, CALIFORNIA 90245

1 Name of Claimant John Mitchell  
 2 Home Address of Claimant 22509 REDBEAM AVE Phone 310-543-5360  
 3 Business Address of Claimant TORLANGE, CA 90505 Phone (RETURNED)  
 4 Mail Notices to Home X, Business \_\_\_\_\_, Other \_\_\_\_\_

5 Name and Address of Attorney (if any) NONE  
 6 When did damage/injury occur? (Date/Time) 5-20-11 AROUND 12 PM  
 7 Where did damage/injury occur? (Describe fully and locate on diagram on back, if appropriate) HAWTHORNE BLVD AND 277th STREET

8 How did damage/injury occur? (Give full description) ACCIDENT. ENEMY CAR COLLIDED INTO ANOTHER CAR AND THAT OFFICER LANDED ON MY INSURANCE HOOD OF MY CAR MY CAR WAS STOPPED AT THE TIME

9 If the basis of liability is alleged to be an act or omission of a city officer or city employee, complete the following, if known  
 a Name of officer/employee REX FOWLER  
 b Claimant's statement of the basis for such liability SITTING IN CHAIR AT LOCAL POLICE DEPT. VAK WHO IS AT FAULT AT THIS TIME. POLICE REPORT IS NOT READY AT THIS TIME.

10 If the basis of liability is alleged to be a dangerous condition of public property complete the following  
 a Public Property alleged to be dangerous NA  
 b Claimant's statement of basis for such liability \_\_\_\_\_

11 What specific damages or injury do you claim resulted (Give full description) OUR CAR WAS INFORMED BY POLICE CAR WHO HAS MY INSURANCE INFO ON POLICE HOLD, THAT THERE WAS A LOT OF DAMAGE TO CAR.

12 What specific sum do you claim on count of each item or injury or damage? (Include basis of computations)  
VEH IS ON POLICE HOLD. ANIMATE HAS NOT BEEN ABLE TO IMPROVE VEH.

13 Total sum of claim VAK AT THIS TIME

14 What expenditures have been made as a result of damage or injury?

Date	Item	Amount
<u>police hold</u>	<u>DAMAGE TO VEH</u>	<u>?</u>
	<u>REPAIR</u>	<u>?</u>

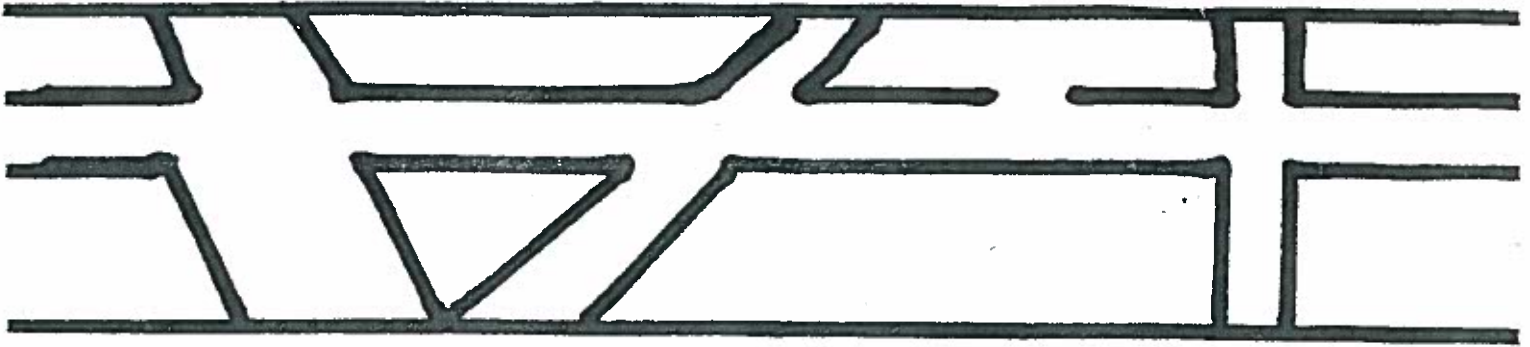
15 Names and addresses of witnesses, doctors and hospitals  
STILL WAITING FOR POLICE REPORT

FOR ALL ACCIDENT CLAIMS, PLACE ON FOLLOWING DIAGRAM THE NAMES OF STREETS (INCLUDING NORTH, SOUTH, EAST AND WEST), INDICATE PLACE OF ACCIDENT WITH AN "X" AND BY SHOWING THE HOUSE NUMBERS OR DISTANCES TO THE STREET CORNERS

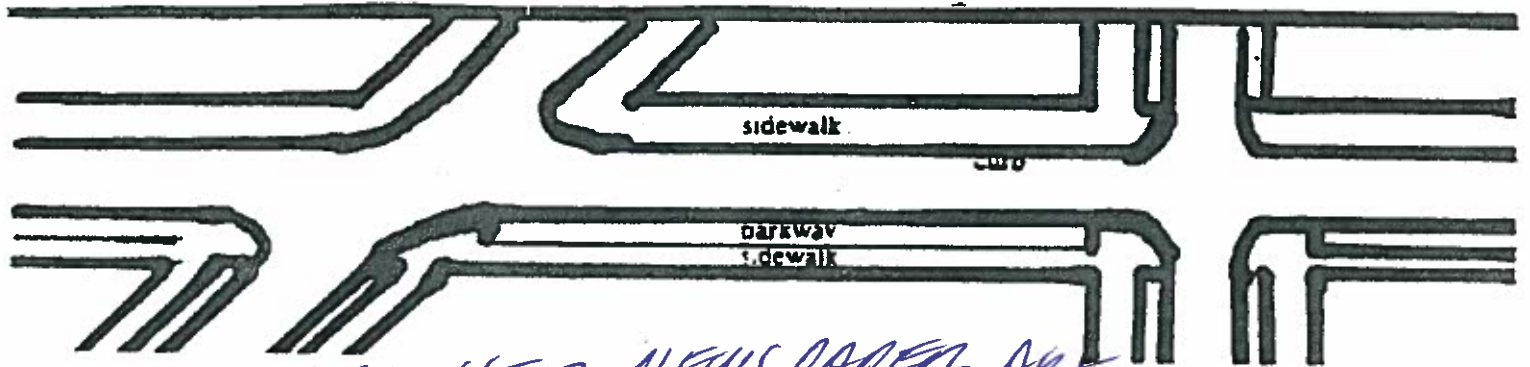
IF CITY VEHICLE WAS INVOLVED, DESIGNATE BY A LETTER "A" THE LOCATION OF THE CITY VEHICLE WHEN YOU FIRST SAW IT, AND BY THE LETTER "B" THE LOCATION OF YOURSELF OR YOUR VEHICLE WHEN YOU FIRST SAW THE CITY VEHICLE, THE LOCATION OF THE CITY VEHICLE AT THE TIME OF THE ACCIDENT BY "A-1", AND THE LOCATION OF YOURSELF OR YOUR VEHICLE AT THE TIME OF THE ACCIDENT BY "B-1", AND THE POINT OF IMPACT BY AN "X"

NOTE IF THE DIAGRAMS BELOW DO NOT FIT THE SITUATION, ATTACH A PROPER DIAGRAM SIGNED BY CLAIMANT

FOR AUTOMOBILE ACCIDENT



FOR OTHER ACCIDENTS



SEE ATTACHED NEWSPAPER ART.

Signature of Claimant

*[Handwritten signature]*

Signature of Witness to Claimant's signature

*[Handwritten signature]*

Signature of Claimant

Signature of Witness to Claimant's signature

Date 7/6/11

Date \_\_\_\_\_

NOTE ALL CLAIMANTS MAY BE REQUIRED TO BE EXAMINED AS TO THEIR CLAIM UNDER OATH PRESENTATION OF FALSE CLAIM IS A FELONY (CA PENAL CODE SEC. 72)

FOR OFFICE USE ONLY

Filed in the Office of the City Clerk

On \_\_\_\_\_ Date

By \_\_\_\_\_ Clerk or Deputy



1470 South Valley Vista Drive, Suite 230  
Diamond Bar, California 91765

Telephone (909) 861-0816  
Fax (909) 860-3995

June 29, 2011

Allstate Insurance Co.  
Attn: Walt Smith  
21031 Warner Center Lane  
Woodland Hills, CA 91367

Re: Allstate Ins. Co. (Mitchell) v. City of El Segundo  
City's Claim Number - 11-37  
Your Claim Number - 0204375646  
Our Claim Number - 11-111306  
Date of Loss - 05/26/2011

Dear Mr. Smith:

We are authorized by the City of El Segundo to administer the self-insured liability program for the City of El Segundo. Your claim has been referred to us for handling.

Your claim, which was received by the City of El Segundo on June 20, 2011, failed to comply with certain Government Code Sections. Your claim is insufficient for the following reasons(s):

- 1. Failure to state a theory of liability on the part of the City of El Segundo, or the City's employee(s) or representatives.
- 2. Failure to state the name of the Allstate Insured.
- 3. Failure to state the amount claimed or the estimated amount.
- 4. Failure to state the nature and extent of item(s) damaged, or documentation confirming ownership of items and nature of items.

*stated on police report*

For your information, consult Sections 910, 910.2, 910.4, and 910.8 and other Sections of the California Government Code pertaining to the filing of claims against a public entity. Due to certain time requirements for filing claims, these deficiencies should be corrected immediately.

Should you have any questions or wish to discuss this matter please do not hesitate to contact the undersigned.

Sincerely,  
AdminSure, Inc.

Susan Diotte  
Liability Administrator  
(909) 396-5827

cc: Deborah Cullen, Finance Director, City of El Segundo  
Angie Garcia, Fiscal Services Manager, City of El Segundo



**Allstate**  
You're in good hands.

Walter Smith

I HAVE ENCLOSED  
AMENDED REPORT FOR  
THE ACCIDENT ON  
5126-11 IN CASE THERE  
IS LIABILITY IN THE  
CITY OF EL SEGUIN

# COLLISION REPORT

PAGE 1 (REV 11-06) OPI 065

AGENCY VEHICLE		NUMBER 0	MT & RPT RELIANT	CITY TORRANCE	JUDICIAL DISTRICT SOUTH BAY	LOCAL REPORT NUMBER 2011 050 756			
NUMBER 1		MT & RPT RELIANT	COUNTY LOS ANGELES	REPORTING DISTRICT	BEAT 901	DAY OF WEEK THURSDAY	TOW AWAY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
COLLISION OCCURRED ON: HAWTHORNE BOULEVARD				NO 05/26/2011	TIME (24HR) 1240	NOCS 9530	OFFICER I.D. 014298		
MILEPOST INFORMATION:				GPS COORDINATES LATITUDE 33.822262° LONGITUDE -118.351046°		PHOTOGRAPHS BY: NONE SEE PHOTOS SECTION			
<input checked="" type="checkbox"/> AT INTERSECTION WITH: 227TH STREET				STATE HWY REL. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
PARTY 1	DRIVER'S LICENSE NUMBER C3431316	STATE CA	CLASS M	AIR BAG P	SAFETY EQUIP. W	VEH YEAR 05	MAKE / MODEL / COLOR HONDA ST1300.BLK/WHL	LICENSE NUMBER 3001407	STATE CA
DRIVER	NAME (FIRST, MIDDLE, LAST) ON DUTY EMERGENCY VEHICLE ANDREW GARTON				OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER		CITY OR HAWTHORNE		
FEEL-TRIAN	STREET ADDRESS 4455 WEST 126TH STREET				OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER				
PARKED VEHICLE	CITY / STATE / ZIP HAWTHORNE CA 90250				DISPOSITION OF VEHICLE ON ORDERS OF: <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER		KRUGER TOWING AND RECOVERY - (562) 430-9000		
SEX M	HAIR BLK	EYES GRN	HEIGHT 5-08	WEIGHT 180	MO 01/23/1967	YEAR	RACE W	PRIOR MECH. DEFECTS <input type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE	
OTHER	HOME PHONE UNKNOWN		BUSINESS PHONE (310) 675-4443		VEHICLE IDENTIFICATION NUMBER JH25C51745M300155		VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA		
INSURANCE CARRIER SELF-INSURED				POLICY NUMBER		49		LINK MOD <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR <input type="checkbox"/> ROLL-OVER	
DIR OF TRAVEL S		ON STREET OR HIGHWAY HAWTHORNE BOULEVARD		SPEED LIMIT 45		CA DOT		CAL-T TCRPSC	
PARTY 2	DRIVER'S LICENSE NUMBER C2185106	STATE CA	CLASS M	AIR BAG P	SAFETY EQUIP. W	VEH YEAR 07	MAKE / MODEL / COLOR BMW 1200RTP BLK/WHT	LICENSE NUMBER 33141	STATE CA
DRIVER	NAME (FIRST, MIDDLE, LAST) ON DUTY EMERGENCY VEHICLE REX JAY FOWLER				OWNER'S NAME <input type="checkbox"/> SAME AS DRIVER		CITY OF EL SEGUNDO		
FEEL-TRIAN	STREET ADDRESS 348 MAIN STREET				OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER				
PARKED VEHICLE	CITY / STATE / ZIP EL SEGUNDO CA 90245				DISPOSITION OF VEHICLE ON ORDERS OF: <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER		KRUGER TOWING AND RECOVERY - (562) 430-9000		
SEX M	HAIR RED	EYES BLU	HEIGHT 5-10	WEIGHT 210	MO 07/16/1963	YEAR	RACE W	PRIOR MECHANICAL DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE	
OTHER	HOME PHONE UNKNOWN		BUSINESS PHONE (310) 534-2255		VEHICLE IDENTIFICATION NUMBER WB103880972M1953		VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA		
INSURANCE CARRIER SELF-INSURED				POLICY NUMBER		49		LINK MOD <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR <input type="checkbox"/> ROLL-OVER	
DIR OF TRAVEL S		ON STREET OR HIGHWAY HAWTHORNE BOULEVARD		SPEED LIMIT 45		CA DOT		CAL-T TCRPSC	
PARTY 3	DRIVER'S LICENSE NUMBER C3063990	STATE CA	CLASS C	AIR BAG M	SAFETY EQUIP. G	VEH YEAR 98	MAKE / MODEL / COLOR TOYO CAMRY BLK	LICENSE NUMBER 4CWJ055	STATE CA
DRIVER	NAME (FIRST, MIDDLE, LAST) ON DUTY EMERGENCY VEHICLE JOHN ROBERT MITCHELL				OWNER'S NAME <input checked="" type="checkbox"/> SAME AS DRIVER		CITY OF EL SEGUNDO		
FEEL-TRIAN	STREET ADDRESS 22509 REDBEAM AVENUE				OWNER'S ADDRESS <input checked="" type="checkbox"/> SAME AS DRIVER				
PARKED VEHICLE	CITY / STATE / ZIP TORRANCE CA 90505				DISPOSITION OF VEHICLE ON ORDERS OF: <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER		KRUGER TOWING AND RECOVERY - (562) 430-9000		
SEX M	HAIR BRN	EYES GRN	HEIGHT 5-11	WEIGHT 160	MO 03/24/1944	YEAR	RACE O	PRIOR MECHANICAL DEFECTS <input checked="" type="checkbox"/> NONE APP. <input type="checkbox"/> REFER TO NARRATIVE	
OTHER	HOME PHONE (310) 543-5360		BUSINESS PHONE NONE		VEHICLE IDENTIFICATION NUMBER JT2B-G7ZKJW0262682		VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA		
INSURANCE CARRIER ALLSTATE				POLICY NUMBER 024322814 06/01		01		LINK MOD <input checked="" type="checkbox"/> MAJOR <input type="checkbox"/> MINOR <input type="checkbox"/> ROLL-OVER	
DIR OF TRAVEL N		ON STREET OR HIGHWAY HAWTHORNE BOULEVARD		SPEED LIMIT 45		CA DOT		CAL-T TCRPSC	
PREPARE'S NAME GREGORY S. OBERLE 014298				DISPATCH NOTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		REVIEWER'S NAME		DATE REB/REWD	

CHP - 310-516-3355



WITNESSES / PASSENGERS  
PAGE 3 (REV 11-06) OPI 065

NAME / D.O.B. / ADDRESS			TIME (2400)	NCIC #	OFFICER I.D.	NUMBER											
ANDREW GARTON (01/23/1967) 4455 WEST 126TH STREET HAWTHORNE CA 90250			1240	9530	014298												
PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY ('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED	
			FACIAL INJURY	SEVERE INJURY	OTHER VEHICLE INJURY	COMPLAINT OF PAIN	DRIVER	PASS.	PED.	BIKELIST	OTHER						
<input type="checkbox"/>	44	M	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	F	W	
DESCRIBE INJURIES: SEE INJURIES SECTION																	
TAKEN TO: HARBOR UCLA MEDICAL CENTER																	
VICTIM OF VIOLENT CRIME NOTIFIED <input type="checkbox"/>																	
#	<input type="checkbox"/>	67	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3	I	M	G	
TELEPHONE (310) 543-5360																	
NAME / D.O.B. / ADDRESS																	
JOHN ROBERT MITCHELL (03/24/1944) 22509 REDBEAM AVENUE TORRANCE CA 90585			TAKEN TO: HARBOR UCLA MEDICAL CENTER														
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:			SEE INJURIES SECTION														
NAME / D.O.B. / ADDRESS																	
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:																	
NAME / D.O.B. / ADDRESS																	
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:																	
NAME / D.O.B. / ADDRESS																	
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:																	
NAME / D.O.B. / ADDRESS																	
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:																	
NAME / D.O.B. / ADDRESS																	
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:																	
NAME / D.O.B. / ADDRESS																	
(INJURED ONLY) TRANSPORTED BY:																	
DESCRIBE INJURIES:																	
PREPAREY'S NAME			I.D. NUMBER	NO. DAY YEAR	REVIEWER'S NAME	RD. DAY YEAR											
GREGORY S. OBERLE			014298	05/26/2011													

# DailyBreeze.com

## 1 officer killed, 1 hurt in Torrance police funeral procession accident

By Douglas Morino and Larry Altman Staff Writers

Posted: 05/26/2011 01:01:49 PM PDT

Updated: 05/26/2011 10:00:23 PM PDT



fatally injured in the 12:35 p.m. crash on Hawthorne Boulevard at 227th Street in Torrance. Garton, 44, was married and had two sons, ages 12 and 7. He had been a motorcycle officer for 4 1/2 years and also was a member of the department's special weapons team. His family was taken to his hospital bedside in a helicopter provided by the Los Angeles County Sheriff's Department. At a news conference Thursday night, Hawthorne Police Chief Robert Fager said Garton was the first officer to die in the line of duty in the 89-year history of the Hawthorne police force. Fager said the officers "will stand as a department and as a family" to work through the grief over Garton's death. He said the Hawthorne department is arranging an account to accept donations for Garton's family. The El Segundo officer was identified as Sgt. Rex Fowler, a traffic and animal control sergeant who has been on the force for more than 20 years. Fowler, 47, suffered a broken leg and was in stable condition at County Harbor-UCLA Medical Center, where he was

Emergency crews work on an El Segundo police officer injured in a traffic accident on Hawthorne Boulevard in Torrance Thursday afternoon. The crash occurred during a funeral procession for Manhattan Beach officer Mark Vasquez. (Sean Hiller / Staff Photographer)

### PHOTOS

### RELATED LINKS:

- » **BLOG:** Keep up to date with South Bay crime and court news
- » **South Bay crime stats**
- » **SOUTH BAY HOMICIDES**A police motorcycle officer from Hawthorne was killed and an officer from El Segundo was injured Thursday in a violent traffic collision during a funeral procession for a Manhattan Beach officer who had died of cancer. Andrew Garton, a traffic investigator who had been on the Hawthorne force for seven years, was



**DIRECTV has more of what you want to watch!**

**Switch today!**

**1-888-778-0985**

**NO EQUIPMENT TO BUY**  
**NO STARTUP COSTS**

DailyBreeze.com



Hawthorne

Police Department traffic investigator Andrew Garton, undergoing surgery Thursday night. "Our hearts go out to the officers involved in this tragedy," Torrance police Sgt. Jeremiah Hart said. The officers were traveling southbound on Hawthorne Boulevard in Torrance, providing traffic control for the funeral procession of Officer Mark Vasquez, when they collided near 227th Street, Hart said. The California Highway Patrol is handling the investigation. Details about how the crash occurred were not disclosed, although Hart said both officers were traveling south on Hawthorne Boulevard. It was not clear if the two officers - from different police departments - were using the same radio frequency, Hart said. He said officers go through extensive training before



El Segundo

Sgt. Rex Fowler. (Daily Breeze file photo) participating in funeral processions. "Every time a funeral procession is done there is a plan, and they get together to discuss safety," he said. The officers were engaged in what's known as leapfrogging, in which motor officers handling traffic control during funeral processions block vehicles at alternating major intersections. When the procession passes the officer at the rear, he races up to the front of the procession to block the forthcoming intersection. After the collision, Garton was hurled into oncoming northbound traffic and collided with a black Toyota



**DIRECTV has  
more of what you  
want to watch!**

**Switch today!**

**1-888-778-0985**





ilyBreeze.com

sedan in the lane closest to the median, Hart said. The windshield of the Toyota was cracked but the driver was uninjured. Rescue teams performed CPR on Garton as he lay in the street. Fowler also appeared to be thrown from his BMW motorcycle, which sat on its side in the street - its blue lights still flashing - while emergency workers treated him near the center median. Hawthorne Boulevard in Torrance was closed in both directions between Sepulveda Boulevard and 230th Street for hours after the crash. Police officers from several departments - in the area for the funeral - rushed to the scene, and Torrance officers redirected traffic through neighborhood streets, bringing the afternoon commute to a near-standstill. Onlookers lined the sidewalk as medical teams worked on the two fallen officers. Police helicopters circled overhead and television news crews descended on the scene. Witnesses said they heard sirens followed by a loud crash, and there were reports that the officers were traveling at high speed. Stephanie Hemphill was in a nutrition store store up the street when she first saw the line of police vehicles making its way along the street. "I saw the funeral procession - then all of a sudden, cops everywhere," she said. "I heard one was going fast, like he was trying to catch up with the procession." "There are pieces (of the officer's bikes) everywhere," added Hemphill. "Just based on the amount of debris, it looks like someone was going pretty fast." Dave Norwell was shopping at a computer store, just steps away from the accident site, when he heard the loud crash. "From the sound, it was obvious it was pretty bad," Norwell said. "It's terrible something like this could happen under the circumstances of a funeral." Vasquez, the Manhattan Beach police officer, died May 15 after a battle with multiple myeloma, a blood disorder. He was 36. The procession from American Martyrs Catholic

Church in Manhattan Beach was headed southbound on Hawthorne Boulevard on its way to Green Hills Memorial Park in Rancho Palos Verdes. Several witnesses described the procession as disorganized and chaotic as it wound through the South Bay. Suzanne Scott, who had known Vasquez from the time they were in elementary school and attended the funeral, said she was in a minor four-vehicle collision as the procession made its way through Manhattan Beach. After the accident near Manhattan Beach and Aviation Boulevards, Scott was taken to a local hospital with minor injuries, where she heard about the Hawthorne Boulevard crash. "It was chaotic," Scott said. "There were just so many people." In 2007, Fowler wrote a "A Frangible Quest," a book honoring his mentor, Mike Lunsford, a El Segundo police officer who died in a car accident in 1992 after 24 years on the force. During an afternoon news conference, Hart expressed condolences to the families of the officers involved in the accident. "This is one tragedy on top of another," he said. "We're going to deal with it together, as a family, a department and as a community." douglas.morino@dailybreeze.comlarry.altman@dailybreeze.comStaff writer

**Get a FREE ADT-Monitored Home Security System.\***

\*With \$99 customer installation and purchase of ADT Alarm monitoring services. See important terms and conditions below.

**Call Now! 1-877-835-8373**

**SECURITY CHOICE**   
ADT Authorized Company

\*\$99.00 Customer Installation Charge. 36-Month Monitoring Agreement required at \$59.97 per month (\$1,229.64). Free of payment must be secured (credit or electronic charge to your checking or savings account). Offer applies to homeowners only. Local permit fees may be required. Sixth history credit history required. Certain restrictions apply. Offer valid for new Security Choice - An ADT Authorized Dealer installations only and not for purchased from ADT Security Services, Inc. Other rate plans available. Cannot be combined with any other offer. \*\*\$100 VISA® Gift Card Offer: \$100 VISA Gift Card is provided by Security Choice and is not sponsored by ADT Security Services. Receipts and acceptance terms. Call 1-800-917-1333 for complete restrictions and delivery requirements.