

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

CLAIM NO. _____

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages relating to any other type of occurrence must be filed not later than one year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim before filing. Claim can be mailed or filed in person. No faxes accepted.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. **SIGN EACH SHEET.**
7. Fill out in duplicate. **ONE COPY TO BE RETAINED BY CLAIMANT.**
8. Claim must be filed with CITY CLERK, (Gov. Code Sec. 915a)
200 NORTH MAIN STREET, ROOM 615, LOS ANGELES, CA 90012

TO: CITY OF LOS ANGELES

Name of Claimant
Brooke Fortson

Age of Claimant
37

Home address of Claimant

City, State and Zip Code

Home Telephone Number

Business address of Claimant

City, State and Zip Code

Business Telephone Number

Give address to which you desire notices or communications to be sent regarding this claim:

V. James DeSimone Law, 13160 Mindanao Way, Suite 280, Marina del Rey, CA 90292

How did DAMAGE or INJURY occur? Please include as much detail as possible.

See Attachment

When did DAMAGE or INJURY occur? Please include the date and time of the damage or injury.

See Attachment

Where did DAMAGE or INJURY occur? Please describe fully, and locate on the diagram on the reverse side of this sheet. Where appropriate, please give street names and addresses or measurements from specific landmarks:

See Attachment

What particular ACT or OMISSION do you claim caused the injury or damage? Please give names of City employees causing the injury or damage and identify any vehicles involved by license plate number, if known.

See Attachment

Please list the names and address of Witnesses, Doctors and Hospitals:

See Attachment

What DAMAGE or INJURIES do you claim resulted? Please give full extent of injuries or damages claimed:

See Attachment

What is the AMOUNT of your claim? Please itemize your damages:

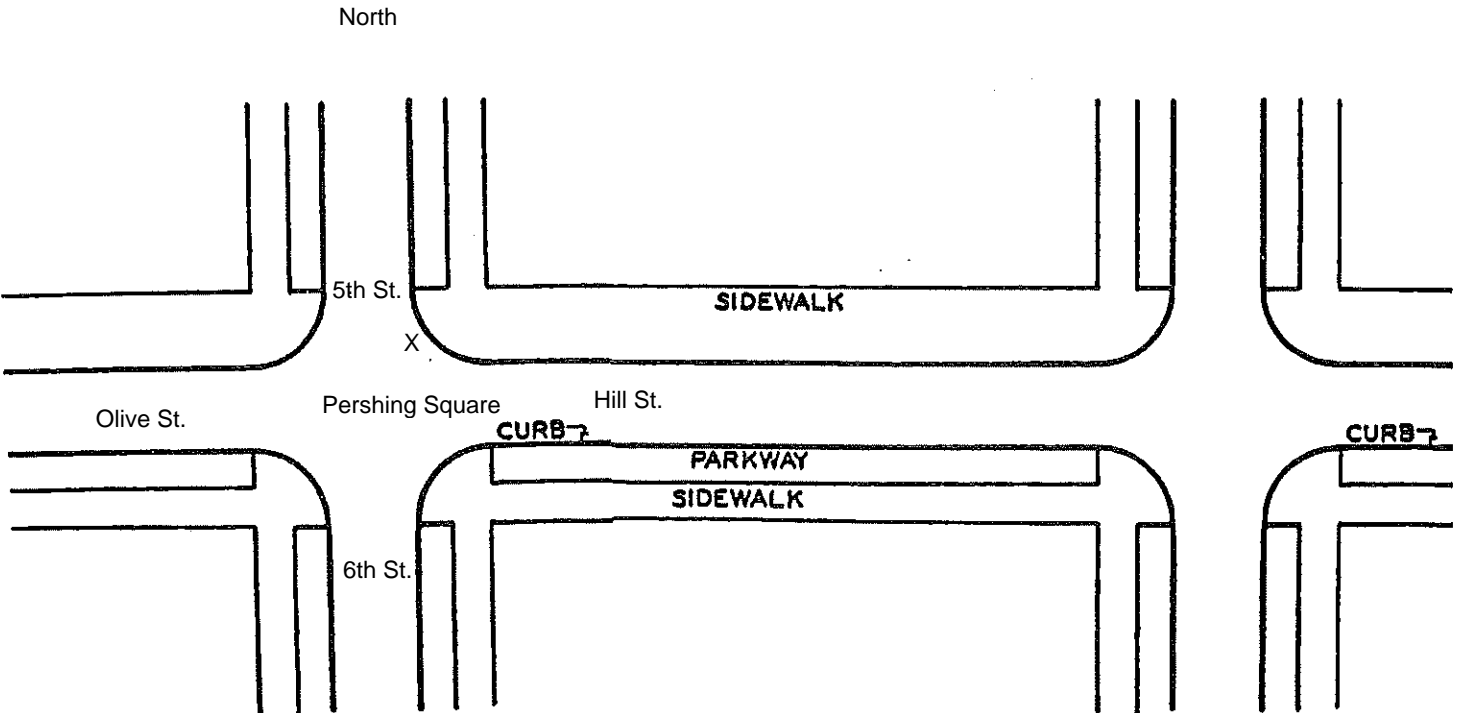
See Attachment

If you have received any insurance payments, please give the names of the insurance companies:

Currently Unknown

For all accidents claims please place on the following diagram the names of the streets where the accident occurred and the nearest cross-streets; indicate the place of the accident by an "X" and by showing the nearest address and distances to street corners. Please indicate where North is on the diagram.

Note: if the diagram does not fit the situation, please attach your own diagram.



Signature of Claimant or person filing on claimant's behalf giving relationship to claimant:

Print Name:
V. James DeSimone

Date:
June 4, 2020



V. James DeSimone, Esq.
13160 Mindanao Way, Suite 280
Marina del Rey, California 90292
310.693.5561 Telephone
323.544.6880 Facsimile
vjdesimone@gmail.com
www.vjamesdesimonelaw.com
*Of Counsel: Lawrence A. Bohm, Esq.
Carmen Sabater, Esq.*

June 4, 2020

[VIA FEDERAL EXPRESS]

City Clerk
CITY OF LOS ANGELES
200 North Main Street, Room 615
City Hall
Los Angeles, California 90012
Tracking No.: 8153 4088 1804

Re: Claim for Damages Pursuant to Cal. Gov't Code § 910 et seq.

A. The name and address of the claimant as follows:

Brooke Fortson



B. The Post Office Address to which the persons presenting the Claim desire notices to be sent:

V. James DeSimone, Esq. of V. James DeSimone Law
13160 Mindanao Way, Suite 280
Marina del Rey, California 90292

C. The date, place, and other circumstance of the occurrence transaction which gave rise to the claim asserted.

On May 31, 2020, at around 3:00 p.m., Ms. Fortson was hit and struck by the LAPD patrol cruiser during protests in downtown Los Angeles following the deadly arrest of George Floyd in Minneapolis.

Ms. Fortson was crossing at the intersection of Hill street and 5th street heading North West toward the steps of Pershing Square when the officer's car unreasonably accelerated and drove through the group of protesters, striking Ms. Fortson. No lights or sirens were deployed by the Officer. The officer then reversed and sped away without

checking on Ms. Fortson and making sure she needed any assistance. The Officer was driving a vehicle with the number 495 0.1 on its roof.

Ms. Fortson was peacefully participating in the protest and she was ready to go home when she was hit and injured by the reckless conduct of the LAPD officer. The officer in question should have known by driving through a group of people, pedestrians would be hit and seriously injured or killed.

D. General Description of the Indebtedness Obligation, Injury Damage or Loss So Far as is Presently Known

Ms. Fortson was hit on her right side and landed on her left shoulder. Ms. Fortson's right arm is injured as she rolled around and landed on her right arm. Ms. Fortson has bruises on her right hand, her right elbow, and on her left shin. Ms. Fortson also has a cut on her right leg because of falling on the ground. Ms. Fortson's neck and back are severely injured. Ms. Fortson has a spasm in her spinal area and all the muscles around her spine are strangled.

Ms. Fortson went to the Urgent Care the next day as she had lots of pain in her neck, arms, and lower back areas. Ms. Fortson must go through physical therapy and her injuries might get worse as the time passes. Since the incident, Ms. Fortson has headaches and needs to take pain killers.

Ms. Fortson has also suffered emotional harm, including but not limited to, loss of sleep, anxiety, fear, and anger. Ms. Fortson gets flashback of the incident when she tries to go to sleep. Ms. Fortson feels she was punished for exercising her First Amendment rights and peacefully expressing her frustration and sadness over George Floyd's deadly arrest and the police's use of excessive force.

Instead of protecting citizens, this LAPD officer acted recklessly when he drove through the crowd and placed pedestrians' lives, including Ms. Fortson's, in danger.

Ms. Fortson lost a day at work as she had to go to the Urgent Care to examine her injuries.

E. The Name(s) of the Public Employee(s) causing the injury damage or loss

Los Angeles Police Department, and unknown agents, employees, officials, staff, personal and independent contractors of the City of Los Angeles, California and/or the County of Los Angeles, California.

F. The Amount Claimed

Unspecified amount but in excess of \$50,000 and within the jurisdiction of the Superior Court of Los Angeles. This case is not a limited civil case.

V. James DeSimone Law

A handwritten signature in blue ink, appearing to read 'V. James DeSimone', is written over a faint, illegible background.

V. James DeSimone, Esq.