

April 19, 2006

Honorable Mayor and Members of  
The Hermosa Beach City Council

Regular Meeting of  
April 25, 2006

**RECOMMENDATION TO DENY CLAIM**

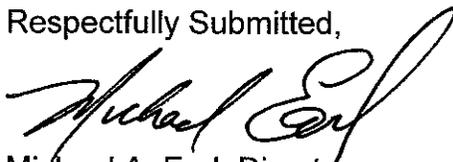
**Recommendation:**

It is recommended that City Council deny the following claim and refer it to the City's Liability Claims Administrator:

1. Claimant: Nicholls, David  
Date of Loss: 08-25-05  
Date Filed: 02-22-06  
Allegation: Constitutional Rights violation, personal injury

A copy of this claim is on file in the City Clerk's office.

Respectfully Submitted,

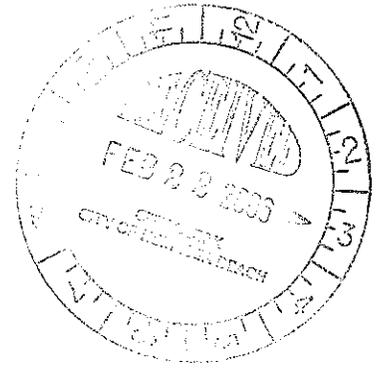


Michael A. Earl, Director  
Personnel & Risk Management

Concur:



Stephen R. Burrell  
City Manager



1 DOUGLAS A. LINDE, State Bar No. 217584  
2 ERICA L. ALLEN, State Bar No. 234922  
3 THE LINDE LAW FIRM  
4 2029 Century Park East, #1360  
5 Los Angeles, CA 90067  
6 (310) 203-9555  
7 (310) 652-9555 FAX

8 Attorneys for Claimant

9 DAVID NICHOLS,  
10 Claimants  
11  
12 v.  
13 CITY OF HERMOSA BEACH and HERMOSA  
14 BEACH POLICE DEPARTMENT.

**CLAIM FOR MONEY DAMAGES**

**[Gov. Code Section 900, Et. Seq.]**

**TO THE CLERK OF THE CITY OF HERMOSA BEACH AND HERMOSA BEACH  
POLICE DEPARTMENT:**

**THE UNDERSIGNED HEREBY SUBMITS TO THE PRESENTLY IDENTIFIED  
PUBLIC ENTITIES THE FOLLOWING WRITTEN CLAIM FOR MONEY DAMAGES:**

**1. NAME OF CLAIMANT:**

David Nichols

**2. NAME AND POST OFFICE ADDRESS OF THE PERSON TO WHOM  
NOTICE OF ACTION ON THIS CLAIM IS TO BE SENT:**

Douglas A. Linde, Esq.  
Erica L. Allen, Esq.  
The Linde Law Firm  
2029 Century Park East, #1360  
Los Angeles, CA 90067

**3. DATE AND LOCATION WHERE INJURY SUSTAINED/ HOW INJURY  
OR DAMAGE OCCURRED/BASIS FOR LIABILITY:**

On Sunday, August 21, 2005, Dave Nicholls was violently and forcefully arrested by an officer of the Hermosa Beach Police Department. A paraplegic, with limited use of his hands, Mr. Nicholls was forced out of his wheel chair by the police officer causing him to suffer a concussion and other injuries.

*Faxed 03-13-06*

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**4. A GENERAL DESCRIPTION OF DAMAGES:**

Mr. Nicholls' Constitutional rights were violated by the Hermosa Beach Police. In addition to a concussion, Mr. Nicholls sustained injuries to his neck and arms and emotional distress as a result of the incident

**5. TOTAL AMOUNT CLAIMED FOR PHYSICAL INJURIES, FUTURE MEDICAL CARE, LOST WAGES AND EARNING CAPACITY, AND PAST, PRESENT AND FUTURE PHYSICAL AND PSYCHOLOGICAL PAIN AND SUFFERING:**

The amount claimed exceeds the limit provided in section 910(f) of the Government Code. This claim will be an unlimited civil case.

**6. NAME OF MEDICAL PROVIDERS:**

Mr. Nicholas was treated emergently at Little Company of Mary

**7. OTHER PERTINENT INFORMATION:**

None at this time.

**8. NAME OF THE PRESENTLY KNOWN EMPLOYEES, AGENTS, OR REPRESENTATIVES, WHOSE ACTS OR OMISSION CAUSED CLAIMANT'S INJURIES:**

The identities of the offending officers are not known with certainty, but are believed to be on the police report.

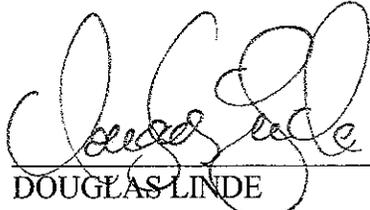
**ALL NOTICES OR OTHER COMMUNICATIONS REGARDING THIS CLAIM SHOULD BE SENT TO CLAIMANT AT:**

Douglas A. Linde, Esq.  
Erica L. Allen, Esq.  
The Linde Law Firm  
2029 Century Park East, #1360

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Los Angeles, CA 90067

Submitted this: February 18, 2006



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DOUGLAS LINDE  
ON BEHALF OF CLAIMANTS