

**Claims and Actions Against the District**

Exhibit A

Notice Of Failure To File In A Timely Manner

TO: [Claimant]

[Address]

RE: Claim Filed [insert date]

The claim you presented to the Superintendent on \_\_\_\_\_ is being

(date)\_\_\_\_\_

returned because it was not presented within six months after the event or occurrence as required by law. See Government Code 901, 911.2 and 935.

Your only recourse is to apply without delay to the district for leave to present a late claim. See Sections 911.4 through 912.2 and Section 946.6 of the Government Code. Under some circumstances, leave to present a late claim will be granted. See Government Code 911.6.

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.

Warning

IF YOU WISH TO FILE A COURT ACTION ON THIS MATTER, YOU MUST FIRST PETITION THE APPROPRIATE COURT FOR AN ORDER RELIEVING YOU FROM THE PROVISIONS OF GOVERNMENT CODE 945.4 (CLAIMS PRESENTATION REQUIREMENT). SEE GOVERNMENT CODE 945.6. SUCH PETITION MUST BE FILED WITH THE COURT WITHIN SIX MONTHS FROM THE DATE YOUR APPLICATION FOR LEAVE TO PRESENT A LATE CLAIM WAS DENIED.

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.

Notice Of Insufficiency

Dear \_\_\_\_\_:

The claim you presented on \_\_\_\_\_, 19\_\_ fails to comply substantially with the requirements of Government Code Sections 910 and 910.2 [or with the requirements of Section 910.4, if a claim is presented on a general claim form provided by the State Board of Control.] Specifically, your claim is insufficient because of the following defects or omissions:

Therefore, the claim is being returned to you without further action or consideration. If you wish to pursue this further, you should consult the California Government Code or legal counsel.

The Board will not take any action on the claim for a period of 15 days from the date of this notice.

Date: \_\_\_\_\_

Signature \_\_\_\_\_

Typed Title of Officer \_\_\_\_\_

#### Notice Of Action Taken On Claim

NOTE: the two paragraphs of warning in the notice below are required, in addition to the first paragraph, if the claim is rejected in whole or in part.

Dear \_\_\_\_\_:

Notice is hereby given that the claim you presented to the District on was [rejected, allowed, allowed in the amount of

\$ \_\_\_\_\_ and rejected to the balance, rejected by operation of law] on [date of action or rejection by operation of law].

#### WARNING

Subject to certain exceptions, you have only six months from the date this letter 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.

Dated: \_\_\_\_\_

Signature \_\_\_\_\_

Typed Name of Officer \_\_\_\_\_

FRESNO UNIFIED SCHOOL DISTRICT

Fresno, California