

Dear Los Osos CSD Board of Directors:

According to the web site at this link:

http://www.sanmateocourt.org/court_divisions/small_claims/suing_govt_agency.php

"It is possible to sue a local or state government agency in Small Claims Court. If you have a claim against a California public body... you must follow the requirements of the California Government Code.

Be prepared to show evidence to the court that you have met these requirements:

You must present a written claim to the public agency.

The claim must have been rejected. A copy of this rejection letter must be submitted with your claim, at the time of filing."

That's what this letter is: me, officially, presenting the LOCSD with a "written claim," in order to receive an official "rejection letter," *IF* my following claim is rejected, so I can then go ahead and file a claim with the SLO County Small Claims Court.

I am requesting an immediate refund, plus interest, on the \$_____ assessment that I paid in early 2001 for the now-failed, so-called, Tri-W sewer non-"project."

The mountain of primary source documents, that clearly shows that Los Osos property owners were deliberately deceived by the 1999 - 2001 Los Osos CSD Board of Directors regarding the viability, cost, and the rationale behind the mid-town location of the treatment facility of the now-failed Tri-W non-project, is too massive to include in this claim letter (although, most of it is in your own filing cabinets at the LOCSD office), and, according to State law, the Statute of Limitations on "fraud" in a civil case is "three years," and I am going to argue in Small Claims Court -- if this matter goes that far -- that the SOL clock on this case started on **June 11, 2010**, when the California Coastal Commission did NOT approve the Tri-W non-project for Los Osos, six years *after* they originally approved it.

So, even though the Tri-W assessment was originally approved by Los Osos property owners in 2001, there's still several months left on the SOL clock, because the Tri-W non-project was appealed all the way to the CCC's June 11, 2010 meeting, where they COULD have, again, approved it for Los Osos -- just like they did six years earlier -- but did not, BECAUSE the Tri-W non-project was based on nothing but a fraud, that I can clearly show, using nothing but a mountain of primary source documents, most of them straight from the Los Osos CSD.

And *that's* when the Tri-W non-project fraud was finally exposed: On June 11, 2010, when the CCC did **NOT** approve the Tri-W non-project as the preferred sewer project for Los Osos, when they could have, just like they did six years earlier.

And, now, understandably, I want my \$_____ back, because Los Osos property owners were deliberately misled by the LOCSD regarding the Tri-W assessment, as the CCC's June 11, 2010 decision clearly reveals.

If the LOCSD Board decides to accept this claim, then please just mail me a check, to the address below, for the above-mentioned assessment amount, plus interest.

If the LOCSD rejects this claim, then please just send me a letter, as soon as possible, stating the reasons for the rejection. As I show above, it's a requirement to have that "rejection let-

ter" before I can file a claim with the Small Claims Court.

Also, according to the Small Claims Court web site, "If the (government) agency rejects your claim OR doesn't answer your claim in 45 days, you can file a claim in small claims court."

According to LOCSD General Manager, Susan Morrow, "... items that are required (to file a formal complaint against a government agency) by Government Code Sections 800 et. seq. and 900 et. seq.:

The claimant's name; post office address of the claimant (or the post office address to which the person presenting the claim desires notices to be sent); the date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted; the name or names of the public employee or employees causing the injury, damage, or loss, if known; the incident may not later than six months after the accrual of the cause of action; the claim being signed by the claimant; and the claim shall be delivered or mailed to the Clerk/Secretary. Our address is 2122 9th Street #102, Los Osos, CA 93402."

"Claimant's name:" _____

"Post office address of the claimant (or the post office address to which the person presenting the claim desires notices to be sent):"

"The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted:"

(See above)

"The name or names of the public employee or employees causing the injury, damage, or loss, if known;"

The 1999 - 2004 Los Osos CSD Board of Directors: Gordon Hensley, Frank Freiler, Stan Gustafson, Pandora Nash-Karner, Sylvia Smith, Rose Bowker (deceased), Bob Semonsen, Richard LeGros

The accrual of the cause of action in this complaint is _____, 2012, the date I read, *Who Wants Their \$3,500 Bucks Back?*, on the blog *SewerWatch* (sewerwatch.blogspot.com), where I first learned about the Tri-W assessment deception.

"The claim being signed by the claimant:"

X _____ Date: _____

("The claim shall be delivered or mailed to the [LOCSD] Clerk/Secretary. Our address is 2122 9th Street #102, Los Osos, CA 93402.")

Thank you,