

Mayor
William Siegel
Mayor Pro Tem
Lois Wynne
Council Members
John Gordon
Eddie Neal
Willard Rodarmel



**Office of the
City Clerk**

119 Fox Street
Lemoore • CA 93245
Phone ♦ (559) 924-6700
FAX ♦ (559) 924-9003

Staff Report

ITEM 2-3

To: Lemoore City Council
From: Janie Venegas, City Clerk / Administrative Secretary
Date: June 12, 2014
Subject: Claim for Ed Martin

A handwritten signature in blue ink, appearing to be "J. Venegas", is written over the "From:" line of the staff report header.

Discussion:

AIMS has suggested the City issue a Notice of Rejection Under Operation of Law in order to establish a six month civil status.

Budget Impact:

Unknown at this time.

Recommendation:

That the City Council, by motion, approve the Notice of Rejection for Ed Martin.

Michael L. Farley*
Rhys C. Boyd-Farley
Moses Diaz
Zachary J. Farley**
Joseph R. Beery

*Certified Specialist
Legal Malpractice Law
The State Bar of California
Board of Legal Specialization
Admitted in CA and TX

**Admitted in CA and NY

FARLEY LAW FIRM
108 WEST CENTER AVENUE
VISALIA, CALIFORNIA 93291
TELEPHONE (559) 738-5975
FACSIMILE (559) 732-2305

Kari Fike
Paralegal-Office Manager

Rosie M. Onizaki
Paralegal

Diane Farley
Paralegal

June 5, 2014

HAND-DELIVERED

City Clerk
City of Lemoore
119 Fox Street
Lemoore, CA 93245

CITY CLERK'S OFFICE
JUN - 5 2014
RECEIVED

AMENDED CLAIM FOR DAMAGES

Claim Against: William Siegel and City of Lemoore

Name of Claimant: Ed Martin
Address: 991 Freedom Drive
Lemoore, CA 93245
Telephone No.: (559) 924-7885
Cellular No.: (559) 410-2411

Notices sent to: Michael L. Farley, Esq.
Farley Law Firm
108 W. Center Avenue
Visalia, CA 93291
(559) 738-5975
Email: dfarley@farleylawfirm.com

Date of Incident: January 16, 2014

Amount of Claim: In an amount to be ascertained

This incident is based on emotional (personal) injuries sustained by Claimant commencing on or about January 16, 2014, and continuing. The facts which give rise to the present claim are as follows:

Claimant is, and has been for approximately 13 years, an assistant principal at Lemoore Union High School. He has been employed as an educator for approximately 27 years. In addition, Mr. Martin is the President of the Lemoore Union High School District Foundation for Educational Excellence and editor and publisher of The Leader, an on-line publication with its stated purpose to better inform citizens of the news and happenings in Lemoore.

On or about January 16, 2014, Mr. Siegel, on behalf of the City of Lemoore, contacted the Kings County District Attorney Bureau of Investigations, reported false criminal conduct on Claimant's behalf and requested an investigation of a non-existent crime. A copy of the Kings County District Attorney Bureau of Investigations' Incident Report is attached hereto as Exhibit A.

Mr. Siegel, on behalf of the City of Lemoore, made this false report as a leader of the community for malicious purposes. A public entity can only speak through its representatives. [Government Code §815.2(a)] This Claim is, in part, for defamation by Mr. Siegel, as the Mayor of the City of Lemoore and acting on behalf of the City of Lemoore.

In addition, Mr. Siegel's complaint is defamatory per se in that it accuses Mr. Martin of a nonexistent crime.

This action is simply another example of the City of Lemoore's Mayor using his position not only for political motives but also to relieve Mr. Martin of his livelihood and destroy his reputation.

Mr. Martin requests that he be compensated for his injuries. The exact amount has not been ascertained, however, the case would be an unlimited civil case.

Mr. Martin further requests a public apology from Mr. Siegel and the City of Lemoore and that Mr. Siegel's resignation from his position as Mayor of the City of Lemoore be accomplished forthwith.

Sincerely,

FARLEY LAW FIRM

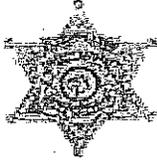


Michael L. Farley
Attorney for Claimant

MLF:df
cc: Client

EXHIBIT "A"

CONTROLLED DOCUMENT
CONFIDENTIAL INFORMATION DO NOT DUPLICATE



Kings County DA Bureau of Investigations

Incident Report for 14D000029

Nature: Information
Location:

Address:

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Offense Codes

Reported:

Observed:

Additional Offense: CNSP Criminal Nonsupport

Circumstances

Responding Officers:

Unit:

Responsible Officer: Inv D Kraemer

Agency: KCDA

Received By: Inv D Kraemer

Last Radio Log: **/**/** **/**/**

How Received: T Telephone

Clearance: _____

When Reported: 11:45:44 01/16/14

Disposition: ACT Date: 01/16/14

Judicial Status:

Occurred between: 11:45:44 01/16/14

Misc:

and: 11:45:44 01/16/14

Contact:

Incident Statute:

Description:

Involvements

Date	Type	Description	
01/16/14	Name	SIEGEL, WILLIAM BILLY	Complainant
01/16/14	Name		Interviewed
01/16/14	Name	MARTIN, ED	Mentioned
01/16/14	Name	BRILTZ, JEFF	Interviewed

TO BE USED BY LAW ENFORCEMENT AGENCIES ONLY * CONTROLLED DOCUMENT * DO NOT DUPLICATE

RELEASED TO: Fairley Law Firm
AGENCY: _____

BY: Chief Investigator Karl
Anderson

DATE: 04/14/14

Name Involvements:

Mentioned : 2705

Last, First: MARTIN, ED (2705)

DOB: **/**/**

Address:

DL:

City/State/Zip:

RACE:

Phone:

SEX:

Height: ' "

HAIR:

Weight: 0

EYES:

Interviewed :

Last, First:

DOB: **/**/**

Address:

DL:

City/State/Zip:

RACE:

Phone:

SEX:

Height: ' "

HAIR:

Weight: 0

EYES:

Interviewed : 2707

Last, First: BRITZ, JEFF (2707)

DOB: **/**/**

Address:

DL:

City/State/Zip:

RACE:

Phone:

SEX:

Height: ' "

HAIR:

Weight: 0

EYES:

Complainant : 2703

Last, First: SIEGEL, WILLIAM (2703)

DOB:

Address:

DL:

City/State/Zip: Lemoore, CA 93245

RACE:

Phone:

SEX: M

Height: ' "

HAIR:

Weight: 0

EYES:

TO BE USED BY LAW ENFORCEMENT AGENCIES ONLY * CONTROLLED DOCUMENT * DO NOT DUPLICATE

RELEASED TO:
AGENCY:

Forley Law Firm

BY: Chief Investigator Karl
Anderson

DATE: 04/14/14