



## Lemoore Union High School District

5 Powell Street, Lemoore, California 93245 - 559/924-6610

**To:** Lemoore Union High School District Board of Trustees  
**From:** Mark Howard  
**Date:** May 12, 2016  
**Subject:** Student #39294 vs. LUHSD and Shannon Pulian – Claim Rejection

### **Background:**

The enclosed claim was delivered April 19, 2016 claiming a student athlete suffered injury during varsity football practice due to negligence. Our insurance provider has assigned a claims investigator to begin conducting the investigation as to what transpired. It is recommended that LUHSD reject the claim. Doing so will trigger the 6 month statute, which provides the claimant 6 months (November 13, 2016) to attempt to resolve the matter or file a lawsuit against the district. Failure to reject the claim provides the claimant up to 2 years (November 30, 2017) from the date of the incident (November 30, 2017) to pursue the matter and file a lawsuit.

In the event a lawsuit is filed against the District, our insurance provider will assign a defense firm to represent both the District and any other named Defendants.

Once the initial investigation is complete, the claims investigator will provide a recommendation on how to proceed.

### **Financial Impact:**

None at this time. The claim indicates the claim amount will exceed \$10,000.

### **Recommendation:**

Reject the claim.

RECEIVED

APR 19 2016

Lemoore Union  
HS District

1 CLAIM AGAINST PUBLIC ENTITY  
2 [GOVERNMENT CODE SECTION 911.2]  
3

4 TO: LEMOORE UNION HIGH SCHOOL DISTRICT AND SHANNON PULIAN

5 # 39294, a minor child, (hereafter Claimant) hereby makes a claim against  
6 LEMOORE UNION HIGH SCHOOL DISTRICT AND SHANNON PULIAN for the injuries  
7 sustained as a result of an incident that took place on Lemoore Union High School District grounds. As  
8 a result, Claimant has suffered extensive bruising on back, stomach, side. Claimant's leg was broken.  
9 Claimant has suffered emotional distress as a result of the incident and the isolation that followed.

10 1. Claimant's address is

11 2. Notices concerning the claim should be sent to Tiffany A. Smith-Henson, Attorney at  
12 Law, 1102 West Main Street, Visalia, CA 93291.

13 3. The date giving rise to this claim is on November 30, 2015, the place is Lemoore,  
14 California, County of Kings.

15 4. The circumstances giving rise to this claim are that on November 30, 2015, Claimant was at  
16 football practice, it was his birthday, and the Varsity coach, Shannon Pulian told the Varsity football  
17 team to get in a line and then instructed them to "get him". The football team proceeded to beat  
18 Claimant up. Freshman football coach, John Foote was present and watched as the football team beat  
19 Claimant. He did not stop the fight or do anything to protect Claimant. Claimant was left on the floor  
20 unable to walk. He was transported by ambulance to Adventist Health Care Emergency Room.  
21 Claimant has suffered physical injuries to be established according to proof.

22 5. Claimant's injuries are caused by Negligence and Negligent Infliction of Emotional Distress.

23 6. Claimant's claim as of this date is in an amount that would exceed \$10,000 and would place  
24 it within the jurisdiction of the Superior Court as an unlimited civil case. The claim is based on  
25 injuries, damages and/or losses in an amount according to proof.

Claim Against Public Entity

