

MINUTE ITEM

7/24/75
SCL

38. APPROVAL OF SETTLEMENT IN REILLY V. STATE, ET AL.,
SANTA BARBARA COUNTY, MUNICIPAL COURT CASE NO. 36,506 - W 503.775.

After consideration of Calendar Item 36 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTIVE OFFICER AND THE OFFICE OF THE ATTORNEY GENERAL TO EXECUTE THE AGREEMENT FOR SETTLEMENT AND STIPULATION FOR JUDGMENT IN REILLY V. STATE, ET AL., MUNICIPAL COURT OF CALIFORNIA, SANTA BARBARA-GOLETA JUDICIAL DISTRICT COURT NO. 36,506, AND TO TAKE WHATEVER ACTION NECESSARY TO CONCLUDE SAID ACTION IN ACCORDANCE WITH THE TERMS OF THE SETTLEMENT.

Attachment:
Calendar Item 36 (1 page)

CALENDAR ITEM

36.

7/75
SCL
W 503.775

APPROVAL OF SETTLEMENT IN
REILLY V. STATE, ET AL.,
SANTA BARBARA COUNTY,
MUNICIPAL COURT CASE NO. 36,506

On October 10, 1974, Michael W. Reilly filed an action for personal injuries against the State of California. It alleged that he was swimming in the Pacific Ocean near the vicinity of Haskell's Beach in Santa Barbara County on tidelands owned by the State and under the jurisdiction and control of the State Lands Commission. It further alleged that located on these tidelands were the remains of certain large metal pilings. The beach is accessible to the general public and no warning signs have been posted. Plaintiff, while swimming, struck said submerged remains of pilings and was injured.

The State of California has been represented in this litigation by Randall B. Christison, Deputy Attorney General (Tort Section), and he has negotiated a settlement of the case. The settlement has been executed by the plaintiff, Mr. Reilly, and is on file in the records of the State Lands Division and calls for a payment of nine hundred ninety-nine and no/100 dollars (\$999.00) to plaintiff as full settlement for all damages in this case. The settlement is hereby incorporated by reference.

In the interests of avoiding the time, expense, and uncertainty attendant upon litigation of these issues, the parties have reached the above mentioned settlement. The staff of the State Lands Division has concluded that the settlement is in the best interests of the State of California, and has been approved by the Tort Section of the Office of the Attorney General.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER AND THE OFFICE OF THE ATTORNEY GENERAL TO EXECUTE THE AGREEMENT FOR SETTLEMENT AND STIPULATION FOR JUDGMENT IN REILLY V. STATE, ET AL., MUNICIPAL COURT OF CALIFORNIA, SANTA BARBARA-GOLETA JUDICIAL DISTRICT COURT NO. 36506, AND TO TAKE WHATEVER ACTION NECESSARY TO CONCLUDE SAID ACTION IN ACCORDANCE WITH THE TERMS OF THE SETTLEMENT.