

CITY OF EMERYVILLE
CLAIM FORM



Please Type or Print and return to:

City Attorney's Office, City of Emeryville
1333 Park Avenue Emeryville, Ca 94608
Phone: 510.596.4381 Fax: 510.596.3724
Email: city_attorney@emeryville.org

CITY OF EMERYVILLE
CITY CLERK'S OFFICE

MAR 07 2025

RECEIVED

CLAIM AGAINST City of Emeryville

(Name of Entity)

Claimant's name Noah Gebremedhin Woo

SS# See Attachment

Claimant's date of birth [REDACTED]

Telephone # [REDACTED]

Claimant's address [REDACTED]

Address where notices about claim are to be sent, if different from above: See Attachment

Date of incident/accident: 9/22/2024

Date injuries, damages, or losses were discovered: 9/22/2024

Location of incident/accident: Christie Park, 6200 Christie Avenue, Emeryville

What did entity or employee do to cause this loss, damage, or injury? See Attachment

(Use back of this form or separate sheet if necessary to answer this question in detail)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?

See Attachment

What specific injuries, damages, or losses did claimant receive?

See Attachment

(Use back of this form or separate sheet if necessary to answer this question in detail)

What amount of money is claimant seeking, or which is the appropriate court of jurisdiction [Government Code 910(f)]?

See Attachment

How was this amount calculated (please itemize)?

See Attachment

(Use back of this form or separate sheet if necessary to answer this question in detail)

Date Signed: 3/7/2025

Signature: [Signature]

If signed by representative:

Representative's Name Eric I. Ryanen

Address 2677 N. Main St., #225, SA 92705

Telephone # 714-505-2468

Relationship to Claimant: Attorney

Attachment to Government Claim/City of Emeryville
Claim of Noah Woo
Claim of Senait Gebremedhin

Social Security No.: Senait Gebremedhin: [REDACTED]

Noah Gebremedhin Woo: [REDACTED]

What did entity or employee do to cause this loss, damage, or injury?

CITY ("CITY" means City of Emeryville, including, but not limited to its Department(s) of Recreation and Parks, Facilities, Community Development, Community Services, Planning, Building, Public Works and all other Departments and Divisions within CITY involved with the ownership, maintenance, control, warning, supervision, development, redevelopment, repair, design, inspection, construction and installations at Christie Park located at or near 6200 Christie Avenue in the City of Emeryville, California) created, or permitted to exist, a dangerous condition of public property; and/or its employees negligently and carelessly committed, or omitted, acts, so as to cause injury and damage to claimants, as follows:

On or about 4:00 pm at approximately 4:00 pm, Claimant, Senait Gebremedhin took her five-year-old son, Claimant, Noah Woo, to Christie Avenue Park ("the park"). At that time and place, a large climbing structure designed to look like a whale was installed there, see *Exhibit 1*. The tail section of the whale structure was between 7 to 15 feet from the playground surface beneath it: a dangerously inappropriate height for intended and foreseeable users, including five-year-old children such as Noah. Predictably, Noah climbed onto the whale and climbed to the tail. Then and there, Noah fell from the tail to the inadequately designed, installed, and maintained surfacing beneath it and was thereby caused to suffer grievous personal injuries and related damages. Ms. Gebremedhin, who saw her son fall to the ground, was caused to suffer extraordinary emotional distress.

Claimants contend that CITY owned, operated, installed, and failed to properly and carefully operate, install, maintain, control, warn, design, and inspect their playground, structure, playground surfacing, playground equipment and, particularly, the large "whale" installation (and the surfacing beneath it) in a reasonably safe condition. And, among other things, the whale installation was not age-appropriate for its intended users (including children of tender ages) and if any notice of that fact was provided, such notice was inadequate and ineffective.

In addition, or in the alternative, before this event occurred, CITY's agents and employees had sufficient notice of, among other things, other similar events from the same or similar dangerous conditions of public property. In this regard, claimant will show that there are facts sufficient to show the requisite malice, oppression, fraud or other wrongdoing that will warrant an award of punitive damages against CITY's currently unknown employees or agents who knew of these other, similar matters.

Claimants' investigation is ongoing and claimant reserves the right to supplement this claim at a later date.

What specific injuries, damages, or losses did claimant receive?

Noah Woo: Injuries to his head, brain, psyche, limbs, hands, feet, internal organs, pain, suffering, anxiety and emotional distress; economic losses include past and future medical expenses; future lost wages/diminished earning capacity, past and future expenses for personal caretakers, and future expenses for extraordinary special education expenses. Noneconomic losses include pain, suffering, shock, inconvenience and emotional distress.

Senait Gebremedhin: Emotional distress.

What amount of money is claimant seeking, or which is the appropriate court of jurisdiction?

Noah Woo: Per Government Code section 910(f), the amount claimed by Noah Woo is greater than \$10,000.00. His claim falls within the jurisdiction of unlimited superior court.

Senait Gebremedhin: Per Government Code section (910)(f), the amount claimed by Senait Gebremedhin is greater than \$10,000.00. Her claim falls within the jurisdiction of unlimited superior court.

Claimants' damages and investigation is ongoing. Claimants reserve the right to supplement this claim at a later date.

How was this amount calculated (please itemize)?_

Noah Woo: His past medical expenses exceed \$10,000.00. His past noneconomic losses and his future economic and noneconomic losses are estimated.

Senait Gebremedhin: Her past and future noneconomic losses are estimated.

Claimants' damages and investigation is ongoing. Claimants reserve the right to supplement this claim at a later date.

1 **PROOF OF SERVICE**

2 I am employed in the County of San Bernardino, State of California. I am over the age of
3 18 and not a party to the within action; my business address is 5811 Pine Avenue, Suite A, Chino
Hills CA 91709.

4 On March 7, 2025, I served on the interested parties in this action the within document(s)
5 entitled:

6 **1. CLAIM AGAINST THE CITY OF EMERYVILLE – NOAH GEBREMEDHIN**
7 **WOO**

8 **2. CLAIM AGAINST THE CITY OF EMERYVILLE – SENAIT GEBREMEDHIN**

9 [X] **VIA CERTIFIED MAIL.** I caused the envelope addressed to be deposited in the mail at
10 Chino Hills, CA with certified postings thereon fully prepaid.

11 City Attorney's Office, City of Emeryville
12 1333 Park Avenue
Emeryville, CA 94608

13 I declare under penalty of perjury, under the laws of the State of California, that the above
14 is true and correct.

15 Executed on March 7, 2025, at Chino Hills, California.

16
17 _____
Lisa Kirschner