

### CLAIM AGAINST THE CITY OF SAN DIEGO

**INTERNAL USE ONLY**

2020 JUL 20 PM 2:43  
R.M.S.D.  
Time Stamp

Present claim by personal delivery or mail to the **City of San Diego, Risk Management Department, 1200 Third Avenue, Suite 1000, San Diego, CA 92101**. Claims for death, injury to person or personal property, must be filed no later than six (6) months after the occurrence (Gov. Code Section 911.2). All other claims must be filed within one (1) year of the occurrence.

**\* = Required** (Gov. Code Section 910)

Received Via  <sup>KOB</sup> US Mail  Over the Counter  Inter-Office Mail

<b>A.</b>			
<b>Claimant Name* (First, Middle, Last)</b> Lillian Ying Zheng (TO BE CONTACTED THROUGH COUNSEL)			<b>Claimant Date of Birth</b> 11 Mo   11 Day   1971 Year
<b>Claimant Address*</b> 12018 Medoc Lane			<b>Claimant Phone Number</b> (619 ) 550-1355
<b>City*</b> San Diego	<b>State*</b> CA	<b>Zip*</b> 92131	<b>Claimant Social Security Number</b> 643 — 46 — 4906

<b>B.</b>	
<b>Send Official Notices and Correspondence To: *</b> Robert Hamparyan, Esq., 275 West Market Street	<b>Phone Number</b> (619 ) 550-1355
<b>Address*</b> San Diego	CA 92101
<b>City*</b>	<b>State*</b> <b>Zip*</b>

<b>C.</b>					
<b>Date of Incident*</b>	<b>Mo</b> February	<b>Day</b> 18	<b>Year</b> 2020	<b>Time of Incident</b>	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
<b>Location of Incident or Accident (Be Specific)*</b> The Washington Street Trolley Station, 2136 W. Washington Street, San Diego, CA 92110					

**Basis of Claim - State in detail all facts and circumstances of the incident.\***  
SEE ATTACHMENT "A"

**State why you believe the City is responsible for the alleged injury, property damage, or loss**  
SEE ATTACHMENT "A"

<b>D.</b>
<b>Description of Alleged Injury, Property Damage, or Loss*</b> SEE ATTACHMENT "A"

# CLAIM AGAINST THE CITY OF SAN DIEGO

**Vehicle Information** - If your claim relates to a motor vehicle or impound, provide the following information and attach proof of insurance and a copy of the current registration.

<b>Year</b> N/A	<b>Make of Vehicle</b> N/A	<b>Model</b> N/A	<b>License Plate No.</b> N/A	<b>Driver's License No.</b> N/A
<b>Insurance Company</b> N/A		<b>Policy Number</b> N/A		<b>Claim Number</b> N/A
<b>Contact Name</b> N/A		<b>Phone Number</b> ( )		<b>Email Address</b>

**Additional Information** - Please provide any additional information that might be helpful in considering your claim, including names of witnesses, treating physicians, hospitals, proof of damages such as invoices, receipts, estimates, a diagram, and photographs.

SEE ATTACHMENT "A"

**E.**

<b>Name and Department of City Employee who Allegedly Caused Injury or Loss (If Known)*</b>	<b>City Vehicle Type/Description</b>	<b>License Plate No./Unit No.</b>
SEE ATTACHMENT "A"		

**F.**

**Damages Claimed\***- If your claim does not exceed ten thousand dollars (\$10,000), state the basis of your computation of the amount claimed. (Attach supporting medical bills, invoices, repair estimates, etc.)

- |                                     |                              |
|-------------------------------------|------------------------------|
| a. Amount claimed as of claim date  | \$ SEE ATTACHMENT "A"        |
| b. Estimated amount of future costs | \$ SEE ATTACHMENT "A"        |
| <b>Total Amount</b>                 | <b>\$ SEE ATTACHMENT "A"</b> |

If your claim exceeds ten thousand (\$10,000), Government Code 910(f) requires that you indicate whether or not the claim is a "limited civil case." Check one.\*

- Limited** (up to \$25,000)                       **Unlimited** (over \$25,000)

**G.**

**Signature\*** - Claim form **must** be signed by claimant or party filing the claim. (Gov. Code Section 910.2)

**Warning: It is a criminal offense to file a false claim. (California Penal Code § 72).** I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters. I believe the same to be true. I certify under penalty of perjury that the foregoing is true and correct.

Lillian Ying Zheng

**Printed Name of Signatory and Relationship to Claimant**



**Signature of Claimant or Person Acting On Behalf of Claimant\***

7/17/20  
Date

## ATTACHMENT "A" TO CLAIM FORM

### CIRCUMSTANCES GIVING RISE TO CLAIMANTS' CLAIMS AND DAMAGES

In an effort to obtain additional information relating to their claims, Claimant Wentian Zheng, Claimant Suxia He, and Claimant Lillian Zheng ("Claimants") submitted a California Public Records Act/FOIA Request to the Metropolitan Transit System ("MTS"). Despite MTS' legal obligation to timely produce evidence, photographs, records, and videos, MTS refused to comply with its legal obligations and failed to produce records. In that MTS has failed to adhere to its legal obligations and produce evidence and records relating to this matter, Claimants are submitting claim forms to MTS. Out of an abundance of caution, Claimants are also submitting claim forms to the County of San Diego, the City of San Diego, the San Diego Association of Governments, and the State of California to preserve their rights as the six-month statute of limitations to file a government code claim is fast approaching. MTS is believed to be affiliated with the City of San Diego. It is also believed that the County of San Diego investigated the incident. For these reasons, Claimants request that you reach out to their representatives at your earliest convenience, produce information (contracts regarding liability, property ownership, reports, etc.), and tender these claims to any other entities (governmental or otherwise) you believe and/or know to be responsible.

Claimants are informed and believe that the City of San Diego, its employees, its members, its partners, its contractors, agents, subsidiaries, divisions, associates, contractors, and/or other affiliated individuals or entities, with the City of San Diego, who were acting within the scope of their employment or agency, owned, occupied, leased, controlled, managed, maintained, secured, operated, and/or regulated the Washington Street Trolley Station, including all tracks, platforms, and property (buses, equipment, fencing, seating, signage, pathways, trolleys, walls, etc.) at and around 2136 W. Washington Street, the four railroad crossing tracks, and the bus stop located at the corner of Washington Street and Pacific Coast Highway (the "subject location"). The City of San Diego, its employees, its members, its partners, its contractors, agents, subsidiaries, divisions, associates, contractors, and/or other affiliated individuals or entities, with the City of San Diego,

who were acting within the scope of their employment or agency, are collectively referred to herein as "COSD".

Claimants are informed and believe that, at all times, COSD owed a duty to inspect for and protect against dangerous conditions at the subject location, which, among other things, included inspecting, maintaining, repairing, remedying, correcting, providing safeguards, and/or warning of conditions that created substantial risks of injury to motorists, bicyclists and pedestrians using the subject location with due care. Among other laws, COSD owed duties pursuant to Government Code §§ 830, et. seq., 835, et seq., and 840, et seq. COSD also owed duties pursuant to Government Code § 815, et. seq., and other State and Federal law. Claimants are informed and believe that COSD, its employees, its members, its partners, its contractors, and/or its agents breached their duties to Claimants and caused the subject incident described below.

On Tuesday, February 18, 2020, after 4:00 p.m., Claimant Wentian Zheng, Claimant Suxia He, and Yuliang Xiao, deboarded an MTS Trolley at the Washington Street Station. After deboarding the Trolley, Claimant Wentian Zheng, Claimant Suxia He, and Yuliang Xiao were walking with due care to the MTS Bus Stop located at the intersection of Washington Street and Pacific Coast Highway. Just after passing the front of the Trolley, Claimant Wentian Zheng was struck and killed by AMTRAK train (#A578) at the Washington Street Grade crossing (MP 265.57) (the "subject incident.")

At the time of the subject incident, Claimant Suxia He was walking right behind her husband (Claimant Wentian Zheng), witnessed the subject incident, and was injured. Yuliang Xiao also witnessed the subject incident. They received no warnings about an oncoming train. Claimant Lillian Zheng arrived on the scene, witnessed events, and was injured. As a result of the subject incident and COSD's failures, Claimant Suxia He and Claimant Lillian Zheng suffered personal injury and wrongful death damages. As a result of the subject incident, Claimant Wentian Zheng/his Estate suffered injuries and damages that survive his passing.

Unbeknownst to Claimants at the time of the subject incident, COSD was aware that there were a high number of motor vehicle, bicycle, and pedestrian accidents at or about the subject location. COSD had ample actual and/or constructive notice regarding the prior incidents. COSD

also had actual and/or constructive notice regarding prior complaints and the requirement to have additional safety features, signage, maintenance, and repairs at the subject location. Unfortunately, COSD chose to not follow the requirements, the MUTCD, the prior complaints/recommendations, and allowed the subject location to remain in a dangerous condition.

As just one example of COSD's knowledge of Trolley/AMTRAK operator error and the dangerous conditions existing at the subject location, COSD was specifically made aware of an incident that occurred at the subject location on April 26, 2014. The April 26, 2014 incident occurred at the same exact location as the subject incident. In the days following the April 26, 2014 incident, COSD was advised that the incident could have been avoided if COSD and rail operators had not acted negligently, breached duties as a common carrier, and had maintained the subject location in a safe condition and/or followed the MUTCD. (For example, see [https://www.nbcsandiego.com/on-air/as-seen-on/man-wearing-headphones-hit-killed-by-train\\_san-diego/1974660/](https://www.nbcsandiego.com/on-air/as-seen-on/man-wearing-headphones-hit-killed-by-train_san-diego/1974660/) ).

After the April 26, 2014 incident, COSD still did not follow any of the advice it was given to prevent future incidents at the subject location, train employees, reprimand employees, and/or make the subject location safe. Instead of adding proper channelization, pedestrian arms, gates, visual signals, control devices, following the MUTCD, properly maintaining equipment, properly maintaining the subject location, reprimanding operators, training staff, instituting reasonable safety protocols, protecting passengers, etc., COSD did not do anything to improve safe operations much less the safety of the subject location that it knew presented a hidden trap. At the time of the April 26, 2014 incident, MTS had the following signage in the immediate area of the subject incident: (1) two "watch for moving trains" pavement markings; and (2) one "look both ways" sign in the subject location. Prior to the April 26, 2014 incident, COSD knew that these signs were ineffective and that the subject location still presented a hidden trap. On April 26, 2014, COSD was made aware yet again that this signage did not resolve the safety issues with the subject location and/or the dangers its agents caused by dropping Trolley passengers off moments before an AMTRAK train was scheduled to pass. COSD breached its duties by failing to take corrective measures.

Attached hereto as **Exhibit "1"** are Google Street Images of the subject location taken from May 2012 through May 2019. Attached hereto as **Exhibit "2"** are photographs of the subject location taken on the day of the subject incident. Attached hereto as **Exhibit "3"** are recent photographs of the subject location.

As evidenced in the photographs attached at Exhibit "1", unfortunately and in the summer of 2018, COSD disregarded its inspection and maintenance duties at the subject location. COSD disregarded prior complaints and actual notice that without proper staff, training, procedures, and proper maintenance and systems, the subject location was dangerous. Despite its prior notice regarding the dangerous conditions and operator errors, COSD allowed the subject location to become even more dangerous; COSD removed one of the pavement markings it had installed before the April 26, 2014 incident ("watch for moving trains"), COSD removed the "look both ways sign" that was installed before the April 26, 2014 incident, did not install necessary devices, and allowed the "look both ways" sign and pavement markings to remain missing from the subject location from at least May 2019 through the date of the subject incident (9 months). (See Exhibits "1," "2," and MTS' incident and complaint records). COSD, its security officers, and its employees failed to properly maintain the area and failed to make improvements they knew were required by the MUTCD as well as past advice and reports. After the subject incident, COSD finally replaced one of the signs it knew was necessary but still has not fulfilled its duties despite over 7 tragic deaths. (See, Exhibit "3"). If MTS does not fulfill its duties that it knew were required for over five years, it will again invite another tragedy to occur.

Claimants are informed and believe that COSD had actual knowledge of the existence of, or should have known of, the dangerous nature and character of the subject location, for a sufficient amount of time prior to the date of the subject incident to have taken reasonable steps to protect against the foreseeable harm of serious bodily injury caused by the dangerous conditions of the subject location.

Claimants are further informed and believe that for many years before the subject incident, COSD knew or should have known of changed circumstances in relation to the subject location, including but not limited to, new structures, the increase in traffic volume, speeds, the

high rate of accidents at the subject location and surrounding areas, incidents and complaints regarding the subject location, commerce in the area of its equipment, visibility issues, the location of the MTS Trolley stop and bus station, maintenance issues, etc., rendering the subject location unreasonably dangerous to motorists, bicyclists and pedestrians.

The dangerous conditions of the subject location created a substantial risk of injury to motor vehicle drivers, bicyclists, and pedestrians traveling through the subject location.

COSD had actual or constructive notice of the dangerous conditions of subject location for years before the subject incident, as is evident by, among other acts, its knowledge of the visibility issues caused by the fence/wall along the station, equipment, signs and the sun, its observations of the subject location, distractions in the area, airplane noise, conflicts with other rail providers and motorists at the subject location, multiple prior complaints, multiple prior accidents or near accidents, the speed of the trains, trolleys and vehicles at the subject location, the lack of warnings, the lack of proper operating procedures for AMTRAK/Trolley operators and employees, the lack of assistance/security/direction for pedestrians and passengers, the lack of ADA compliant devices that are important for the safety of all users, not to mention children, people over 65 years of age, people with visual impairments, hearing impairments, passengers/pedestrians wearing headphones, etc. The dangerous conditions had existed and were of such an obvious nature that COSD, in the exercise of due care, should have discovered the conditions and their dangerous character within a sufficient amount of time to have prevented the occurrence of the subject incident.

COSD had the express or implied authority to increase or heighten the level of warnings for trains and trolleys entering into the subject location, to repair, remedy, and/or correct the unsafe conditions, and/or to provide other safeguards and/or warnings of the conditions that created the substantial risk of injury to pedestrians and motorists using the subject location with due care, which should have and could have been performed within a sufficient amount of time to have prevented the occurrence of the subject incident.

The dangerous conditions of the subject location other acts that caused the subject incident were directly attributable, wholly or in substantial part, to the negligent or wrongful acts or omissions of COSD.

COSD also knew or should have known that the lack of or insufficient warning signs and equipment created a concealed trap for motorists, bicyclists and pedestrians using the subject location with due care.

COSD would have discovered by an inspection system that was reasonably adequate, considering the practicability and cost of inspection weighed against the likelihood and magnitude of the potential danger to which failure to inspect would give rise, the dangerous character of the subject location when used in a manner in which COSD knew and intended for it to be used, within a sufficient amount of time to have taken measures to have protected or safeguarded against the dangerous conditions before the date of the subject incident.

COSD knew or should have known of changed circumstances, among other conditions, an increase in traffic volume for the roadways and a high rate of motor vehicle, bicycle and pedestrian accidents at and around the location of the subject incident.

COSD had the funds and other means for taking adequate measures to protect against the dangerous conditions, including without limitation, posting adequate speed reduction signs, installing signs, crosswalks, auditory and visual devices, barriers and/or directions, providing maintenance, communication systems, staff training, and/or other reasonable protective safeguard measures. With a proper barrier, auditory and visual signals, crosswalk, signs, assistance and directions, communications, training, operator protocols, and/or maintenance the subject incident would have been avoided.

The acts and/or omissions of COSD was unreasonable for reasons, including but not limited to, the practicability and cost of protecting against the risk of serious injury and death was substantially outweighed by the probability and foreseeable gravity of injury and death to the public from accidents caused by the dangerous nature of the subject location.

COSD breached its duty of care by creating or maintaining dangerous conditions at the subject location due, in part, to a failure to take reasonable steps to protect against the known and



foreseeable hazards of the subject location at and around the location of the subject incident as well as its substandard Train/Trolley operations and policies. COSD is legally responsible for Claimants' injuries.

Witnesses that are presently known to Claimants include Claimant Suxia He, Claimant Lillian Zheng, and Yuliang Xiao; first responders; the medical examiner; staff at the mortuary; the MTS Trolley Operator and staff that witnessed the subject incident; any other individuals that actually witnessed the incident; witnesses to the April 26, 2014 incident and that victim's family members; Rene Torres; MTS employees involved in all prior incidents at or near the subject location; MTS' custodian of records; AMTRAK's custodian of records; AMTRAK's engineer operating the train on the date of the subject incident; field inspectors; staff of various agencies; etc. The public records Claimants requested from MTS will likely identify these and potentially other witnesses by name. In any event, COSD has the witness information within its possession, custody or control.

COSD is legally responsible for Claimants' survival action, personal injury, and wrongful death claims. Claimants will pursue, among others, the following causes of action against COSD and the responsible parties should Claimants' claims not be accepted and resolved: (1) common carrier liability (violation of Civ. Code § 2103 and other applicable statutes and laws); (2) negligence, (3) negligence per se, (4) dangerous condition of public property; (5) violation of mandatory duties; (6) premises liability; (7) wrongful death; (8) survival claims pursuant to applicable law; (9) violations of the ADA; (10) violations of the California Public Records Act/FOIA; etc. In that COSD has failed to adhere to its legal obligations by timely producing public records, Claimants reserve their right to bring additional causes of action based upon later discovered facts.

Through their claims, Claimants seek proper reimbursement for all of their survival damages, special damages, general damages, wrongful death damages, statutory damages, attorneys' fees, costs, and all other damages caused by the subject incident and allowed by law including, without limiting:

- Claimants Suxia He, Lillian Zheng, and decedent Wentian Zheng's Medical/Funeral related bills which presently amount to approximately \$80,000.00 (see, supporting records attached at **Exhibit "4"**);

- Claimants Suxia He, Lillian Zheng, and decedent Wentian Zheng's general damages. Claimants' general damages are far in excess of the jurisdictional limits the Unlimited Civil Division of the California Superior Court. The total amount of past and future damages will be determined by the jury should COSD/the insurers not accept and pay Claimants' claims;

- Claimants Suxia He, Lillian Zheng, and decedent Wentian Zheng's special damages are far in excess of the jurisdictional limits the Unlimited Civil Division of the California Superior Court. The total amount of past and future special damages will be determined by the jury should COSD/the insurers not accept and pay Claimants' claims;

- Claimants Suxia He and Lillian Zheng personal injuries and wrongful death damages are far in excess of the jurisdictional limits the Unlimited Civil Division of the California Superior Court. The total amount of past and future personal injury and wrongful death damages will be determined by the jury should COSD/the insurers not accept and pay Claimants' claims;

- Claimants are further entitled to recovery of all of their attorney's fees and costs. The total amount of attorneys' fees and costs will be determined by the Court should COSD/the insurers not accept and pay Claimants'; and

- All of Claimants' damages and costs as allowed by law.

Claimants implore COSD (COSD, its employees, its members, its partners, its contractors, agents, subsidiaries, divisions, associates, contractors, and/or other affiliated individuals or entities, with COSD, who were acting within the scope of their employment or agency) to ensure that the subject location and operations conducted there are made safe. Two people have already lost their lives and Claimants do not want any other families to go through what they have.

# COUNTY OF SAN DIEGO

## CERTIFICATE OF DEATH

3202037003467

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT—FIRST (Given) <b>WENTIAN</b>		3. LAST (Family) <b>ZHENG</b>	
2. MIDDLE -		6. AGE Yrs <b>78</b>	
4. DATE OF BIRTH mm/dd/yyyy <b>01/26/1942</b>		7. DATE OF DEATH mm/dd/yyyy <b>02/18/2020</b>	
8. BIRTH STATE/FOREIGN COUNTRY <b>CHINA</b>		10. SOCIAL SECURITY NUMBER <b>729-10-7627</b>	
11. EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		12. MARITAL STATUS/SDOP* at time of Death <b>MARRIED</b>	
13. EDUCATION—Highest Level Degree <b>ASSOCIATE</b>		14. DECEDENT'S RACE—1 to 3 races may be listed (see worksheet on back) <b>CHINESE</b>	
17. USUAL OCCUPATION—Type of work for most of life. DO NOT USE RETIRED <b>SENIOR ACCOUNTANT</b>		18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) <b>ACCOUNTING</b>	
19. YEARS IN OCCUPATION <b>50</b>		25. STATE/FOREIGN COUNTRY <b>CALIFORNIA</b>	
26. DECEDENT'S RESIDENCE (Street and number or section) <b>4041 IBIS STREET, APT. 1206</b>		27. ZIP CODE <b>92103</b>	
28. CITY <b>SAN DIEGO</b>		29. YEARS IN COUNTY <b>13</b>	
30. COUNTY/PROVINCE <b>SAN DIEGO</b>		31. INFORMANT'S NAME, RELATIONSHIP <b>LILLIAN ZHENG, DAUGHTER</b>	
32. INFORMANT'S ADDRESS (Street and number or P.O. box number, city or town, state and zip) <b>12018 MEDOC LANE, SAN DIEGO, CA 92131</b>		33. NAME OF SURVIVING SPOUSE/SPOF—FIRST <b>SHUXIA</b>	
34. MIDDLE -		35. LAST (BIRTH NAME) <b>HE</b>	
36. NAME OF FATHER/PARENT—FIRST <b>UNK</b>		37. LAST <b>ZHENG</b>	
38. MIDDLE -		39. BIRTH STATE <b>CHINA</b>	
40. NAME OF MOTHER/PARENT—FIRST <b>UNK</b>		41. LAST (BIRTH NAME) <b>ZHANG</b>	
42. BIRTH STATE <b>CHINA</b>		43. DISPOSITION DATE mm/dd/yyyy <b>03/02/2020</b>	
44. PLACE OF FINAL DISPOSITION <b>RESIDENCE OF SHUXIA HE 4041 IBIS STREET, APT. 1206, SAN DIEGO, CA 92103</b>		45. TYPE OF DISPOSITIONS <b>CR/RES</b>	
46. SIGNATURE OF EMBALLER <b>NOT EMBALMED</b>		47. LICENSE NUMBER <b>FD 843</b>	
48. NAME OF FUNERAL ESTABLISHMENT <b>GREENWOOD MORTUARY</b>		49. SIGNATURE OF LOCAL REGISTRAR <b>WILMA J WOOTEN, MD MPH</b>	
50. DATE mm/dd/yyyy <b>02/28/2020</b>		51. PLACE OF DEATH <b>RAILROAD RIGHT OF WAY</b>	
52. COUNTY <b>SAN DIEGO</b>		53. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or section) <b>2100 BLOCK OF W WASHINGTON STREET</b>	
54. CITY <b>SAN DIEGO</b>		55. CAUSE OF DEATH <b>MULTIPLE BLUNT FORCE INJURIES</b>	
56. IMMEDIATE CAUSE OF DEATH (Final disease or injury resulting in death) <b>MULTIPLE BLUNT FORCE INJURIES</b>		57. DEATH REPORTED TO CORONER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
58. UNDERLYING CAUSE OF DEATH (Underlying disease or injury that initiated the events resulting in death) LAST		59. RAPID? <b>20-00470</b>	
60. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 57 <b>NONE</b>		61. ALTOPIFY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
62. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 57 OR 60? (If yes, see type of control on 63 and 64) <b>NO</b>		63. 111. USUALLY DETERMINED CAUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
64. 112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 57 <b>NONE</b>		65. 113. IF FEMALE, FIVE CHART IN LAST YEAR? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK	
66. 114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSE STATED. <input type="checkbox"/> Deceased Attended Since <input type="checkbox"/> Deceased Last Seen Alive		67. 115. SIGNATURE AND TITLE OF CERTIFIER <b>BETHANN SCHABER</b>	
68. 116. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE		69. 118. LICENSE NUMBER <b>56</b>	
70. 119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSE STATED. MANNER OF DEATH: <input type="checkbox"/> Homicide <input checked="" type="checkbox"/> Accident <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Could not be determined		71. 120. INJURED AT WORK? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK	
72. 121. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) <b>RAILROAD RIGHT OF WAY</b>		73. 122. INJURY DATE mm/dd/yyyy <b>02/18/2020</b>	
74. 123. DESCRIBE HOW INJURY OCCURRED (events which resulted in injury) <b>PEDESTRIAN, STRUCK BY TRAIN</b>		75. 124. HOUR (24 Hours) <b>1611</b>	
76. 125. LOCATION OF INJURY (Street and number, or hotel or, and city, state and zip) <b>2100 BLOCK OF W WASHINGTON STREET, SAN DIEGO, CA 92110</b>		77. 126. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER <b>BETHANN SCHABER, MD, DME</b>	
78. 127. SIGNATURE OF CORONER / DEPUTY CORONER <b>BETHANN SCHABER</b>		79. 128. DATE mm/dd/yyyy <b>02/20/2020</b>	
80. STATE REGISTRAR		81. FAX AUTH#	
82. CENSUS TRACT		83. BARCODE <b>010001004456350</b>	

County of San Diego—Health & Human Services Agency—3851 Roscomars Street. This is to certify that, if bearing the OFFICIAL SEAL OF THE STATE OF CALIFORNIA, the OFFICIAL SEAL OF SAN DIEGO COUNTY and THEIR DEPARTMENT OF HEALTH SERVICES EMBOSSED SEAL, this is a true copy of the ORIGINAL DOCUMENT FILED. This copy not valid unless prepared on engraved border displaying seal and signature of Registrar

*Wilma J. Wooten, M.D.*

DATE ISSUED: 2/27/2020 WILMA J. WOOTEN, MD, M.P.H.  
REGISTRAR OF VITAL RECORDS  
County of San Diego



A003621048

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



CASANDIED1

**EXHIBIT 4**

Sent via Certified Mail

2020 JUL 20 PM 2:43

R.M.S.D.

Friday, July 17, 2020

City of San Diego  
Risk Management Department  
1200 Third Avenue, Suite 1000  
San Diego, CA 92101

*Re: Our Clients: Wentian Zheng, Shuxia He & Lillian Zheng  
Date of Loss: February 18, 2020*

To Whom It May Concern:

Please be advised that this office has been retained to represent Wentian Zheng, Shuxia He, and Lillian Zheng relating to an incident that occurred on February 18, 2020.

Enclosed please find originals and copies of the completed claim forms (including Attachment A, Exhibits 1 – 4) for each of our clients. Please return conformed copies of each of the claimants' forms in the self-addressed stamped envelope provided.

Today, we verified with your office that no payment was required to submit the attached government code claims. If this was not correct or you need anything, contact us immediately.

As indicated within the claim forms, the attachments, and exhibits, our clients CPRA/FOIA request to MTS was ignored. As such and out of an abundance of caution, these claims are being submitted to your office. Please contact us and provide us with any lease agreements, ownership records, and/or indemnity agreements you have relating to the location where the subject incident occurred. Thank you for your anticipated cooperation.

Thank you for your attention to this matter. We can be reached at (619) 550-1355.

Sincerely,



Robert Hamparyan  
Attorney at Law

*Enclosures as stated*

cc: file