



From the desk of  
**Matney M. Ellis**  
*Assistant District Attorney*  
*Tulsa County District Attorney's Office*  
*Civil Division*  
*596-4859*

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**TO:** Board of County Commissioners  
John Smaligo, Chairman  
Fred Perry  
Karen Keith

**DATE:** October 17, 2012

**REFERENCE:** *Tort Claim TC-2012-48*

Please place the following tort claim on the agenda for the next meeting of the Board of County Commissioners. It will not be necessary to review the claim in Executive Session.

**Tort Claim TC-2012-48**      **Claimant:**    **Cox Communications**  
**Outside Plant Damage Recovery**  
**9984B West Jewell Ave.**  
**Lakewood, CO 80232**

On September 18, 2012, the above-named claimant(s) gave notice to the County Clerk of a tort claim for \$2,339.63 in connection to an incident on April 13, 2012, wherein a County back hoe hit cable while passing underneath.

I received a memo from Tom Rains, October 4, 2012, confirming what the claimant eventually alleged in their Tort Claim. Thus, based on my review I believe it would be appropriate and therefore recommend the Board APPROVE the claimants' claim for \$2,339.63.

Sincerely,

Matney M. Ellis  
Assistant District Attorney

Cc: Deputy County Commissioner, Mark Liotta  
Public Information Officer, Michael Willis  
Kathy Hall, Tulsa County Clerk's Office  
Georgeann Hiebert, Tulsa County Clerk's Office