



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
10

Meeting Date: **MARCH 3, 2011**

Subject:

Authorize Rejection of the Claim of Michael Campbell

Recommendation:

Adopt Resolution No. 2011-0033, authorizing the rejection of the claim of Michael Campbell.

Background/Justification:

On February 11, 2011, Michael Campbell ("Campbell") filed a claim with the Authority alleging that on August 13, 2010, he arrived at San Diego International Airport as a passenger on American Airlines and was refused special assistance to find his way in the airport. He claims negligence, negligent infliction of emotional distress, intentional infliction of emotional distress and disability discrimination. Campbell's damages claimed are in excess of fifty thousand dollars and include both economic damages and non-economic damages, including medical care, loss of income, pain, suffering, mental anguish and loss of consortium.

Campbell alleges in his claim that on August 13, 2010, he arrived on an American Airlines flight from Dallas, TX. Campbell states he has a mental disability from a brain injury and asked the airline to assist him in navigating his way between the aircraft and the airport entrances. He states he requested the assistance upon arrival at San Diego International Airport and was refused, leaving him to roam lost for hours and suffering ongoing and aggravating injuries.

Campbell's claim should be denied. An investigation into the incident revealed no unsafe condition of public property nor any notice of an unsafe or dangerous condition. There is no claim of Airport Authority personnel involvement. There is no report of an incident or injury or disturbance of this nature on the day of the incident. Harbor Police were never summoned, nor were paramedics. The claim does not address why Campbell was flying unaccompanied.

Fiscal Impact:

Not applicable.

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Environmental Review:

- A. California Environmental Quality Act: The Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. The Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act: The Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

SUZIE JOHNSON
PARALEGAL

MARC I. WILLICK
ATTORNEY

SOCP
FEB 11 2011
Corporate Services

February 11, 2011
VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
FIRST CLASS MAIL AND FACSIMILE

CL-140
2/11/2011

San Diego County
County Counsel Claims Division
1600 Pacific Highway, Room 355
San Diego, CA 92101

San Diego County Airport Authority
ATTN: Claims
3225 North Harbor Drive
San Diego, California, 92101

Fax: (619) 531-6005

Fax: (619) 400-2549

RE: Claimant: Michael Campbell
Date of Incident: August 13, 2010
SD Claim No: Unassigned
AA Claim Number: AMR10SAN17805

Dear San Diego Airport Claims:

I represent Michael Campbell in his claims for the above referenced incident. This letter is his Tort Claim against the San Diego International Airport, San Diego County Airport Authority and San Diego County pursuant to the Government Code.

1. Claimant Information: Mr. Michael D. Campbell
9805 Glendale Way
McKinney, TX 75071
(214)592-4816
Please contact through counsel.

2. Claimant's Attorney: Marc I. Willick
Attorney at Law
2361 Rosecrans Ave., Ste. 450
El Segundo, CA 90245
(310)536-1040

3. Date and location of Incident:
August 13, 2010
San Diego International Airport and American Airlines Terminal

2361 ROSECRANS AVE., SUITE 450, EL SEGUNDO, CALIFORNIA 90245
Telephone : (310) 536-1040
Facsimile: (310) 496-0256

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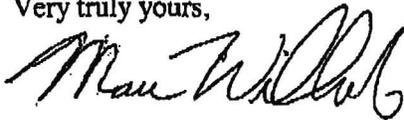
February 11, 2011

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4. Agencies Involved: On information and belief, San Diego County Airport Authority, San Diego International Airport, San Diego County. Employee names are unknown at this time.
5. Amount of claim: In excess of \$50,000 economic and non-economic damages.
6. Nature of claim: Negligence, negligent infliction of emotional distress, intentional infliction of emotional distress, disability discrimination.
7. Nature of Injuries: Mr. Campbell was an American Airlines passenger with mental disability who needed special assistance to find his way in an airport. (He is a veteran with a brain injury). His ticket was noted in Dallas and he received assistance to find his way from the airport entrance to his flight in Dallas. At San Diego International Airport, however, he was refused that same assistance when his flight landed and he asked personnel for help. He roamed lost in the San Diego airport for hours and suffered ongoing and aggravated injuries. American Airlines refuses and/or denies responsibility. He claims medical care, loss of income, pain and suffering, mental anguish and loss of consortium.

Please preserve all video surveillance footage, incident reports, witness statements and any form of communication between the Airport and American Airlines from August 13, 2010 on regarding this incident.

Very truly yours,



MARC I. WILLICK

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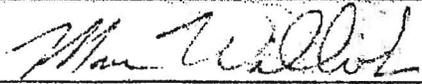
**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
ACCIDENT OR DAMAGE CLAIM FORM**

Please complete all sections.
Incomplete submittals will be returned, unprocessed.
Use typewriter or print in ink.

FOR AUTHORITY CLERK USE ONLY
Document No.: _____
Filed: _____

1) Claimant Name: Michael D. Campbell	
2) Address to which correspondence regarding this claim should be sent: Marc I. Willick, Attorney 2361 Rosecrans Ave., Suite 450 El Segundo, CA 90245	
Telephone No.: 310-536-1040	Date: 2/11/11
3) Date and time of incident: August 13, 2010	
4) Location of incident: San Diego International Airport and American Airlines Terminal	
5) Description of incident resulting in claim: Mr. Campbell was an American Airlines passenger with mental disability who needed special assistance to find his way in an airport. (He is a veteran with a brain injury). His ticket was noted in Dallas and he received assistance to find his way from the airport entrance to his flight in Dallas. At San Diego International Airport, however, he was refused that same assistance when his flight landed and he asked personnel for help. He roamed lost in the San Diego airport for hours and suffered ongoing and aggravated injuries. American Airlines refuses and/or denies responsibility. He claims medical care, loss of income, pain and suffering, mental anguish and loss of consortium.	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known: Presently unknown.	
7) Persons having firsthand knowledge of incident:	
Witness (es) Claimant and American Airlines	Physician(s): Dallas VA
Name:	Name:
Address:	Address:
Phone:	Phone:

8) Describe property damage or personal injury claimed:
Ongoing and aggravated mental and psychological injury. Cost of medical care, loss of income, pain and suffering, mental anguish and loss of consortium.
Negligence, negligent infliction of emotional distress, intentional infliction of emotional distress, disability discrimination.
9) Owner and location of damaged property or name/address of person injured:
Mr. Michael D. Campbell
10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.
Amount exceeds \$10,000.
Cost of medical care, loss of income, pain and suffering, mental anguish and loss of consortium.

Dated: 2/11/2011 Attorney for
 Claimant: 
 (Signature) Marc Willick

Notice to Claimant:

Where space is insufficient, please use additional paper and identify information by proper section number.

Return completed form to:

Tony Russell, Director, Corporate Services/Authority Clerk
 Corporate Services Department
 P.O. Box 82776
 San Diego, CA 92138-2776

RESOLUTION NO. 2011-0033

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF MICHAEL CAMPBELL

WHEREAS, on February 11, 2011, Michael Campbell filed a claim with the San Diego County Regional Airport Authority for injuries he allegedly sustained as he spent several hours without assistance at San Diego International Airport on January 6, 2011; and

WHEREAS, at its regular meeting on March 3, 2011, the Board considered the claim filed by Michael Campbell, the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the rejection of the claim of Michael Campbell; and

BE IT FURTHER RESOLVED THAT this Board Action is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065; nor is it a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 3rd day of March, 2011, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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