

RULE 202 - TIMELY COMMENCEMENT OF LAWSUIT & LIMITATIONS

Any legal action brought against the District upon any claim or demand shall conform to the requirements of Section 940 through and including Section 949 of the California Government Code. Any action brought against any employee of the District shall conform to the requirements of Section 950 through and including Section 951 of the California Government Code.

As to any claim allowed in full, if the claimant accepts the amount allowed, no suit may be maintained on any part of the cause of action to which the claim relates. As to any claim allowed in part and the claimant accepts the amount allowed, no suit may be maintained on that part of the cause of action which is represented by the allowed portion of the claim. As to any claim allowed in part, no suit may be maintained on any portion of the cause of action where the District has added a requirement that the claimant accepted the amount allowed in settlement of the entire claim.

Any lawsuit for the recovery of money or damages from the District shall be commenced within one hundred eighty (180) days after the date on which the District Notice of Rejection is personally delivered or deposited in the mail. If written Notice of Rejection is not issued, the suit must be commenced within two years from the accrual of the cause of action. Recovery shall not be allowed in any such action upon any ground not specified in the claim.

Rule added by Ordinance No. 130 (10/15/2007)