


SUPERIOR COURT OF CALIFORNIA COUNTY OF YOLO 1000 MAIN STREET WOODLAND, CA. 95695 530-406-6700	<i>For Court Use</i> FILED YOLO SUPERIOR COURT SEP 19 2024 BY <u></u> DEPUTY
MARK BAKER vs. CITY OF WOODLAND	

CLERK'S CERTIFICATE OF MAILING

I, the undersigned, certify under penalty of perjury that I am a Deputy Clerk of the above-entitled Court and not a party to the within-entitled action; that 9/19/24 I served true and correct copies of the foregoing/attached ORDER AFTER COURT TRIAL AND NOTICE OF ENTRY OF JUDGMENT by depositing the same, enclosed in sealed envelopes with postage thereon fully prepaid, in the United States Post Office at Woodland, California addressed as follows:

MARK BAKER
 9450 SW GEMINI DRIVE PMB 44671
 BEAVERTON, OR 97008


CITY OF WOODLAND
 300 FIRST STREET
 WOODLAND, CA 95695
 (530) 661-5806

At the time of said mailing there was regular communication by United States Mail between the said place of mailing and the places addressed.

Dated: 9/19/24

SHAWN C. LANDRY,
 COURT EXECUTIVE OFFICER

By: 
 A. Truitt, Deputy Clerk

FILED
YOLO SUPERIOR COURT
SEP 18 2024
BY 
DEPUTY

SMALL CLAIMS COURT OF THE STATE OF CALIFORNIA
COUNTY OF YOLO

MARK BAKER,) Case No. SC-2024-0166
Plaintiff,)
)
) **ORDER AFTER COURT TRIAL**
v.)
) Hearing Date: September 16, 2024
CITY OF WOODLAND,) Time: 9:00 a.m.
Defendant,) Department: 2
) Commissioner Katherine Taylor
)
)

On September 16, 2024, plaintiff Mark Baker (“plaintiff”) and three authorized representatives for City of Woodland (“defendant”) appeared in Department 2 for small claims trial. Defendant’s representatives at trial were claims administrator David Due, management analyst Richard Perry, and principal civil engineer for the City of Woodland Katie Wurzel. The

1 parties presented sworn testimony, documents, and argument. This court took the case under
2 submission for written ruling.

3 The Small Claims Process and Judgment

4 The hearing and disposition of the small claims action shall be informal, the object being
5 to dispense justice promptly, fairly, and inexpensively. (Code Civ. Proc., § 116.510.)

6 Plaintiff's claim and defendant's response

7 Plaintiff filed a claim for \$2,500.00, on the ground defendant injured and discriminated
8 against plaintiff by using hazardous LED flashing lights on Rectangular Rapid Flashing Beacon.
9 (Small claim, ¶ 3.) Plaintiff set forth that defendant refused accommodation. (*Ibid.*) Plaintiff set
10 forth that defendant denied plaintiff's injury claim. (*Ibid.*) Plaintiff asks for punitive damages
11 under Government Code section 835. (*Ibid.*) Plaintiff asks for damages of \$2,500.00, on the
12 ground that this is the limit for an unlimited number of small claims filings in a year in
13 California. (Code Civ. Proc., § 116.231, subd. (a).) Plaintiff states that he hopes a punitive
14 damage award will cause defendant to stop their injurious and discriminatory practices. (Small
15 claim, ¶ 3.)

16 Plaintiff and defendant both provided a letter from defendant City of Woodland to
17 plaintiff Mark Baker captioned "notice of rejection of claim." The notice states the claim
18 presented to the City of Woodland on June 26, 2024, is rejected by operation of law on July 11,
19 2024. The notice warns plaintiff to initiate a State court action within six months and to seek the
20 advice of an attorney if he desires. This court finds that plaintiff filed this small claim timely
21 after the city's denial of his claim.

22 Plaintiff testified at trial that he has autism and that he has suffered from the installation
23 on Main Street an intense digitally pulsing light. Plaintiff testified that the light affects his vision
24 and cognition, that the light causes fear and suicidal thoughts, and that the light is incapacitating
25 for plaintiff who is autistic. Plaintiff testified that he put defendant on notice that the light

1 constitutes a dangerous condition, but defendant told him to just take a different street. Plaintiff
2 submitted an injury claim. Plaintiff broke down crying in court as he described these effects on
3 his mental and psychological well-being. Plaintiff argued he has exhausted his administrative
4 options and asks for punitive damages of \$2,500.00 to deter this allegedly discriminatory and
5 injurious conduct by defendant.

6 Defendant through its representatives told the court defendant is sympathetic to plaintiff's
7 condition and difficulties. Defendant argued the traffic control light complies with the California
8 Manual on Uniform Traffic Control Devices. ([https://dot.ca.gov/programs/safety-](https://dot.ca.gov/programs/safety-programs/camutcd)
9 [programs/camutcd](https://dot.ca.gov/programs/safety-programs/camutcd), visited September 17, 2024.) Defendant set forth that this document is the
10 guiding document for city street improvements. The document guides what the city has to install.
11 Defendant argued it does not have a lot of choice in what devices to install.

12 Plaintiff argued that Cal Trans approved the device based on federal highway approval,
13 without collaborating with the Food and Drug Administration to determine the device is safe for
14 neurodivergent people. Plaintiff argued that any alteration the city makes must be readily
15 accessible for people with disabilities.

16 Findings and Rulings

17 This small claims court has considered the testimony, documents, and argument
18 presented in support of and in opposition to this claim based on the denial of rights under
19 disability and civil rights statutes. This court finds insufficient evidence plaintiff suffered
20 cognizable harm *caused by* the light. This court also finds insufficient evidence defendant
21 intentionally discriminated against plaintiff on the basis of his disability.

22 Judgment

23 Judgment shall enter for defendant. Parties are to bear their own costs.

24 DATED: 9/18/24

25 
Commissioner Katherine Taylor

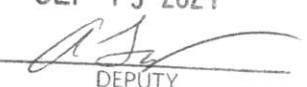
SMALL CLAIMS CASE NO.: SC2024-0166

<p>NOTICE TO ALL PLAINTIFFS AND DEFENDANTS: Your small claims case has been decided. If you lost the case, and the court ordered you to pay money, your wages, money, and property may be taken without further warning from the court. Read the back of this sheet for important information about your rights.</p>	<p>AVISO A TODOS LOS DEMANDANTES Y DEMANDADOS: Su caso ha sido resuelto por la corte para reclarnos judiciales menores. Si la corte ha decidido en su contra y ha ordenado que usted pague dinero, le pueden quitar su salario, su dinero, y otras cosas de su propiedad, sin aviso adicional por parte de esta corte. Lea el reverso de este formulario para obtener informacion de importancia acerca de sus derechos.</p>
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PLAINTIFF/DEMANDANTE (Name, street address, and telephone number of each):
 MARK BAKER
 9450 SW GEMINI DRIVE PMB 44671
 BEAVERTON, OR 97008
 Telephone No.: (408) 455-9233

DEFENDANT/DEMANDADO *(Name, street address, and telephone number of each):
 CITY OF WOODLAND
 300 FIRST STREET
 WOODLAND, CA 95695
 Telephone No.: (530) 661-5806

Telephone No.:
 See attached sheet for additional plaintiffs and defendants.

Telephone No.:
 BY  DEPUTY

FILED
 YOLO SUPERIOR COURT
 SEP 19 2024

NOTICE OF ENTRY OF JUDGMENT

Judgment was entered as checked below on (date): 9/18/24

- Defendant (name, if more than one): shall pay plaintiff (name, if more than one): \$ principal and: \$ costs on plaintiffs claim.
- Defendant does not owe plaintiff any money on plaintiff's claim.
- Plaintiff (name, if more than one): shall pay defendant (name, if more than one): \$ principal and \$ costs on defendant's claim.
- Plaintiff does not owe defendant any money on defendants claim.
- Possession of the following property is awarded to plaintiff (describe property):
- Payments are to be made at the rate of: \$ per (specify period): , beginning on (date): and on the (specify day): day of each month thereafter until paid in full. If any payment is missed, the entire balance may become due immediately.
- Dismissed in court with prejudice. without prejudice.
- Attorney-Client Fee Dispute (Attachment to Notice of Entry of Judgment) (form SC-132) is attached.
- Other (specify): Exhibits not picked up within 30 days of the judgment becoming final may be destroyed without further notice.
- Judgment debtor is a natural person, and as provided in Code Civ. Proc., §§ 683.110, 685.010:
 \$ of this judgment is on a claim related to medical expenses
 \$ of this judgment is on a claim related to personal debt.
- This judgment results from a motor vehicle accident on a California highway and was caused by the judgment debtor's operation of a motor vehicle. If the judgment is not paid, the judgment creditor may apply to have the judgment debtor's drivers license suspended.
- Enforcement of the judgment is automatically postponed for 30 days or, if an appeal is filed, until the appeal is decided.
- This notice was personally delivered to (insert name and date):
- CLERK'S CERTIFICATE OF MAILING I certify that I am not a party to this action. This Notice of Entry of Judgment was mailed first class, postage prepaid, in a sealed envelope to the parties at the addresses shown above. The mailing and this certification occurred at the place and on the date shown below.

Place of mailing: WOODLAND, California

Date of mailing: 9/19/24

Clerk, by , Deputy

The county provides small claims advisor services free of charge. Read the information sheet on the reverse.

INFORMATION AFTER JUDGMENT	INFORMACION DESPUES DEL FALLO DE LA CORTE
<p>Your small claims case has been decided. The judgment or decision of the court appears on the front of this sheet. The court may have ordered one party to pay money to the other party. The person (or business) who won the case and who can collect the money is called the judgment creditor. The person (or business) who lost the case and who owes the money is called the judgment debtor.</p> <p>Enforcement of the judgment is postponed until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally, both parties may be represented by lawyers after judgment.</p>	

IF YOU LOST THE CASE . . .

1. If you lost the case on your own claim and the court did not award you any money, the court's decision on your claim is **FINAL**. You may not appeal your own claim.
2. If you lost the case and the court ordered you to pay money, your money and property may be taken to pay the claim unless you do one of the following things:
 - a. **PAY THE JUDGMENT**
The law requires you to pay the amount of the judgment. You may pay the judgment creditor directly, or pay the judgment to the court for an additional fee. You may also ask the court to order monthly payments you can afford.
Ask the clerk for information about these procedures.
 - b. **APEAL**
If you disagree with the court's decision, you may appeal the decision *on the other party's claim*. You may not appeal the decision on your own claim. However, if any party appeals, there will be a new trial on *all* the claims. If you appeared at the trial, you *must* begin your appeal by filing a form called a *Notice of Appeal* (form SC-140) and pay the required fees within **30 days** after the date this *Notice of Entry of Judgment* was mailed or handed to you. Your appeal will be in the superior court. You will have a **new trial** and you must present your evidence again. You may be represented by a lawyer.
 - c. **VACATE OR CANCEL THE JUDGMENT**
If you did not go to the trial, you may ask the court to vacate or cancel the judgment. To make this request, you must file a *Motion to Vacate the Judgment* (form SC-135) and pay the required fee *within 30 days* after the date this *Notice of Entry of Judgment* was mailed. If your request is denied, you then have **10 days** from the date the notice of denial was mailed to file an appeal. The period to file the *Motion to Vacate the Judgment* is **180 days** if you were *not properly served* with the claim. The 180-day period begins on the date you found out or should have found out about the judgment against you.

b. VOLUNTARY PAYMENT

Ask the judgment debtor to pay the money. If your claim was for possession of property, ask the judgment debtor to return the property to you. **THE COURT WILL NOT COLLECT THE MONEY OR ENFORCE THE JUDGMENT FOR YOU.**

c. STATEMENT OF ASSETS

If the judgment debtor does not pay the money, the law requires the debtor to fill out a form called the *Judgment Debtor's Statement of Assets* (form SC-133). This form will tell you what property the judgment debtor has that may be available to pay your claim. If the judgment debtor willfully fails to send you the completed form, you may file an *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134) and ask the court to give you your attorney's fees and expenses and other appropriate relief, after proper notice, under Code of Civil Procedure section 708.170.

d. ORDER OF EXAMINATION

You may also make the debtor come to court to answer questions about income and property. To do this, ask the clerk for an *Application and Order for Appearance and Examination (Enforcement of Judgment)* (form EJ-125) and pay the required fee. There is a fee if a law officer serves the order on the judgment debtor. You may also obtain the judgment debtor's financial records. Ask the clerk for the *Small Claims Subpoena and Declaration* (form SC-107) or *Civil Subpoena Duces Tecum* (form SUBP-002).

e. WRIT OF EXECUTION

After you find out about the judgment debtor's property, you may ask the court for a *Writ of Execution* (form EJ-130) and pay the required fee. A writ of execution is a court paper that tells a law officer to take property of the judgment debtor to pay your claim. Here are some examples of the kinds of property the officer may be able to take: **wages, bank account, automobile, business property, or rental income**. For some kinds of property, you may need to file other forms. See the law officer for information.

f. ABSTRACT OF JUDGMENT

The judgment debtor may own land or a house or other buildings. You may want to put a lien on the property so that you will be paid if the property is sold. You can get a lien by filing an *Abstract of Judgment* (form EJ-001) with the county recorder in the county where the property is located. The recorder will charge a fee for the *Abstract of Judgment*.

IF YOU WON THE CASE . . .

1. If you were sued by the other party and you won the case, then the other party may not appeal the court's decision.
If you won the case and the court awarded you money, here are some steps you may take to collect your money or get possession of your property:
 - a. **COLLECTING FEES AND INTEREST**
Sometimes fees are charged for filing court papers or for serving the judgment debtor. These extra costs can become part of your original judgment. To claim these fees, ask the clerk for a *Memorandum of Costs*.

NOTICE TO THE PARTY WHO WON: As soon as you have been paid in full, you *must* fill out the form below and mail it to the court *immediately* or you may be fined. If an *Abstract of Judgment* has been recorded, you must use another form; see the clerk for the proper form.

SMALL CLAIMS CASE NO.: SC2024-0166

ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT (*Do not use this form if an Abstract of Judgment has been recorded.*)

To the Clerk of the Court:

I am the judgment creditor assignee of record.

I agree that the judgment in this action has been paid in full or otherwise satisfied.

Date: _____

(TYPE OR PRINT NAME)



(SIGNATURE)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form