



September 20, 2021

City of Mangum  
Attn: Billie Chilson  
201 N. Oklahoma  
Mangum, Oklahoma 73554-4235

Re: Member : City of Mangum  
Claimant : Gavin, Paula  
Date of Loss : July 27, 2021  
Claim No. : 210080-1-DD

Dear Ms. Chilson:

The Oklahoma Municipal Assurance Group (OMAG) has received the referenced claim from the City of Mangum due to its participation in OMAG's Municipal Liability Protection Plan (Plan). We understand the City of Mangum is claiming coverage under Plan Agreement No. GLA140008805 - 11/01/2020, effective from 11/1/2020 to 11/1/2021.

Claimant Paula Gavin makes a claim that City of Mangum borrowed her tractor and returned it damaged on July 27, 2021. Our investigation indicates this claim arises out of loss of property while in the care, custody, or control of the City of Mangum.

Please see General Provisions, Section VI, Exclusions, of the Plan, which provides:

We have no obligation to pay nor do we have any obligation to defend any claim against a plan member on account of:

7b. Loss arising out of damage to or loss of property, including money, in the care, custody or control of the plan member, or to which the plan member is for any purpose exercising physical control...."

Based on Exclusion 7b, because this claim arises from the loss of property while in the care, custody, and control of the City of Mangum OMAG contends it is not obligated to defend or pay this claim. For these reasons OMAG must decline coverage of this claim.

Therefore, we are returning this claim to you for handling by the City of Mangum. If the City of Mangum has additional information that supports coverage under the Plan, please submit it to OMAG for consideration.

If you have any questions, please call David Dalton at (405) 657-1446.

Sincerely,

*David M. Dalton*

& General Counsel

DD/ML

**OMAG**