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Entered - 04/26/00 - sb  
CL00L0242 - DIANNE C. MITCHELL

00-R-0779

CLAIM OF: CHELSEA FORRESTER, a minor,  
b/n/f THERESA FORRESTER,  
through their attorney,  
Steven L. Jackson  
1800 Peachtree Street  
Suite 300  
Atlanta, Georgia 30309

For damages alleged to have been sustained as a  
result of a personal injury at the Airport on March  
17, 2000.

THIS ADVERSED REPORT IS  
APPROVED

BY: *Rosalind Rubens Newell*

ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

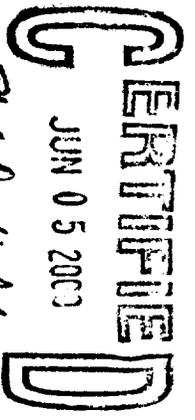
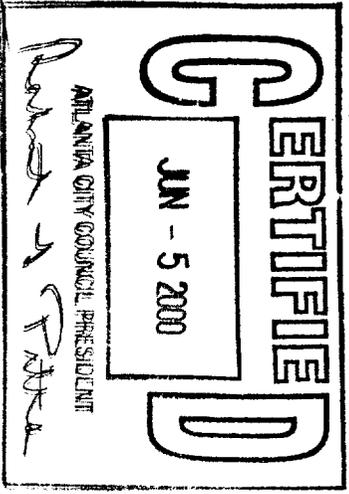
# ADVERSE REPORT

COM. *Public Safety*

DATE *5/30/2000*

CHM. *C. Tim Gilmer*

*[Handwritten signatures]*



*Rosalee Doughton Adams*  
MUNICIPAL CLERK

ADVERSED BY  
CITY COUNCIL  
JUN 05 2000



CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

June 15, 2000

Steven L. Jackson  
Attorney at Law  
1800 Peachtree St.  
Suite 300  
Atlanta, Ga 30309

00-R-0779

RE: Chelsea Forrester, a minor, b/n/f, Theresa  
Forrester, through their attorney

Dear Attorney Jackson:

I sincerely regret that your clients have been adversely affected by the circumstances raised in their claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on June 05, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0242

Date: May 17, 2000

Claimant /Victim CHELSEA FORRESTER, a minor, b/n/f, THERESA FORRESTER
BY: (Atty) Steven J. Jackson
Address: 1800 Peachtree Street, Suite 300, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 03/20/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/17/00 Place: Atlanta Airport
Department Aviation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her minor child was injured when she got onto the down escalator at the airport. The claim has been forwarded to the insurance carrier for the Atlanta Airlines Terminal Corporation for handling.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date
Committee Action: Council Action

**STEVEN J. JACKSON**

ATTORNEY AT LAW  
The Macquarium Building  
1800 Peachtree Street  
Suite 300  
ATLANTA, GEORGIA 30309

Telephone (404) 350-8381  
Facsimile (404) 352-5636

*Mitchell*  
*04/21/00*  
*DM*

April 19, 2000

**CERTIFIED MAIL NO. Z 170 380 856**

Mayor Bill Campbell  
City of Atlanta  
55 Trinity Avenue  
Suite 2400  
Atlanta, Georgia 30335

ENTERED - 04/26/00 - tew  
00L0242 - DIANNE C. MITCHELL

Re: Client : Chelsea Forrester, a minor, b/n/f, Theresa Forrester  
Location of Incident : Hartsfield Atlanta International Airport  
Date of Accident : March 17, 2000  
My File No. : 00-0114

Dear Mayor Campbell:

This ante litem notice is being sent to you by certified mail, return receipt requested, to advise you of my client's claim against the City of Atlanta for personal injuries sustained in the above-referenced accident.

My client, Chelsea Forrester, a minor, was injured in an accident which occurred at Hartsfield Atlanta International Airport, on March 17, 2000 at approximately 11:00 a.m. On that date, Miss Forrester was walking through the Hartsfield Atlanta International Airport with her mother and her mother's friend and daughter who were traveling via airplane to another destination. As such, Miss Forrester, who is five years old, was an invitee at the Hartsfield Atlanta International Airport.

At the time of the subject incident, Miss Forrester's traveling group had just passed through the main terminal security checkpoint, and the group was preparing to take the escalator down to the transit station to continue to their concourse. When Miss Forrester attempted to get on the escalator, her foot was pulled by the escalator into the small area between the escalator step and the wall of the escalator. Miss Forrester's foot continued to get pulled and lodged deeper into the small crevasse between the escalator steps and the wall, **as she continued to get dragged down the moving escalator**, until a good Samaritan jumped back off of the escalator and pushed the emergency stop mechanism at the top of the escalator steps. Once the escalator was stopped, it took

Mayor Bill Campbell

April 19, 2000

Page Two

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approximately twenty minutes before airport personnel were able to pry Chelsea's foot out from between the escalator step and the wall of the escalator with a large crowbar. Chelsea's foot was already bruised and swollen, and one could see with the naked eye that the circulation to her foot had been cut off during this ordeal.

Accordingly, the escalator leading down from the Hartsfield International Airport main terminal security checkpoint down to the transit area leading to the airport concourses, which caused the injury to Miss Forrester, was clearly improperly operated and maintained, and constituted a dangerous hazard to the invitees of Hartsfield Atlanta International Airport.

Miss Forrester suffered immediate excruciating pain caused by the pinching and pulling of the escalator steps as she was stuck between the escalator and the wall adjoining the escalator. She sustained severe skin damage to the outside top of her foot and two toes. Chelsea also sustained severe bruising and swelling of her foot and toes. She received immediate emergency medical attention at the airport, and she was taken via ambulance for emergency treatment at Grady Hospital. Ms. Forrester thereafter received treatment for her injuries sustained in this accident from her regular pediatrician on at least two more occasions.

This ante-litem notice is given pursuant to the O.C.G.A. § 36-33-5.

Sincerely,



Steven J. Jackson

SJJ/dkm

cc: Mrs. Theresa Forrester  
AATC  
AIG Aviation

00- R-0779

RCS# 1981  
6/05/00  
2:45 PM

Atlanta City Council

Regular Session

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CONSENT AGENDA PAGES (1 - 10)

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-0662

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<b>06/05/00 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 00-O-0590	39. 00-R-0775
2. 00-O-0677	40. 00-R-0776
3. 00-O-0712	41. 00-R-0777
4. 00-O-0752	42. 00-R-0778
5. 00-O-0592	43. 00-R-0779
6. 00-O-0593	44. 00-R-0780
7. 00-O-0594	45. 00-R-0781
8. 00-O-0625	46. 00-R-0782
9. 00-O-0666	47. 00-R-0786
10. 00-O-0673	48. 00-R-0787
11. 00-O-0722	49. 00-R-0788
12. 00-O-0724	50. 00-R-0789
13. 00-O-0725	51. 00-R-0790
14. 00-O-0730	52. 00-R-0791
15. 00-O-0589	53. 00-R-0792
16. 00-O-0713	54. 00-R-0793
17. 00-O-0714	
18. 00-O-0715	
19. 00-O-0716	
20. 00-R-0753	
21. 00-R-0794	
22. 00-R-0761	
23. 00-R-0719	
24. 00-R-0763	
25. 00-R-0764	
26. 00-R-0762	
27. 00-R-0765	
28. 00-R-0766	
29. 00-R-0768	
30. 00-R-0769	
31. 00-R-0770	
32. 00-R-0771	
33. 00-R-0772	
34. 00-R-0773	
35. 00-R-0774	
36. 00-R-0783	
37. 00-R-0784	
38. 00-R-0785	