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Entered - 04/18/00 - sb
CL00L0227 - DIANNE C. MITCHELL
00- R-0791

CLAIM OF: U. S. GENERAL SERVICES ADMINISTRATION
75 Spring Street, SW
Suite 1022
Atlanta, Georgia 30303

For damages alleged to have been sustained as a
result of property damage on January 29, 2000 at
56 Forsyth Street.

THIS ADVERSED REPORT IS
APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

REPORT

COM *Public Safety*
DATE *5/30/2000*
CHM. *C. T. Martin*

Michael S. ...
Greg ...
Ch ...

CERTIFIED
JUN - 5 2000
ATLANTA CITY COUNCIL PRESIDENT
Rosa ...

CERTIFIED
JUN 05 2000
Rosalind Rubens Newell
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

U.S. General Services Administration
Attn: Albert Rouse
75 Spring Street, SW
Suite 1022
Atlanta, GA 30303

00-R-0791

Dear Mr. Rouse:

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 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.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

RECEIVED APR 17 2000

Mitchell
04/17/00
APR 17 2000

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 4/13/00
ENTERED - 4-18-00 - SB
00L0227 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that my Federal agency has suffered damages in the amount of \$5,601.85 property injury for which I contend the City is liable.

- Date of incident: 1/29/00
(month/day/year)
- Police called: APD investigated
Yes No
- Location of incident: U. S. Court of Appeals, 56 Forsyth St., Atlanta, GA 30303
- Name of your insurance company: Federal Government is self-insured Policy No. NA
- State what and how incident occurred: See attached copy of incident report.

ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: NA
(make) (year) (tag number) (driver's name)

City vehicle: City of Atlanta waste management truck #404156
(make) (City driver's name) (department/bureau)

Witness: Not Known
(name) (address) (telephone number)

The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employees.

This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Albert Rouse *Albert Rouse*
Buildings Management Specialist
(claimant's name)

For the U.S. General Services Administration
75 Spring St., SW, Ste 1022
(address)

00- R-0791

Atlanta, GA 30303
(city and state)

(404) 562-0068
(work number) (home number)

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0227

Date: May 11, 2000

Claimant /Victim U. S. GENERAL SERVICES ADMINISTRATION

BY: (Atty) (Ins. Co.)

Address: 75 Spring Street, SW, Suite 1022, Atlanta, Georgia 30303

Subrogation: Claim for Property damage \$ 5,601.85 Bodily Injury \$

Date of Notice: 04/17/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 01/29/00 Place: 56 Forsyth Street

Department Public Works Division: Solid Waste Services

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges its property was damaged when struck by a City vehicle. The investigation determined that the damaged property was a City street light located on the sidewalk in front of claimant's building. The Department of Public Works has replaced the street light.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X

Pictures Diagrams Reports: Police 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 Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces X

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: [Handwritten signature] Concur/date 05/11/00

Committee Action: Council Action

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

Atlanta City Council

Regular Session

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

06/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
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	