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Entered - 4-10-00 - sb
CL00L0204- GWENDOLYN BURNS

002 -0792

CLAIM OF: WEBSITE DIRECTORY MAGAZINE
3350 Wilshire Boulevard, Suite 835
Los Angeles, California 90010

For damages alleged to have been sustained
as a result of a misrepresented airport issue
at Atlanta Hartsfield International Airport.

THIS ADVERSED REPORT IS
APPROVED

ADVERSED BY JUN 05 2000
CITY COUNCIL

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

ADVERSED REPORT

Public Safety

DATE *5/30/2000*

CHM.

Michael S. ...
...
...

CERTIFIED
ATLANTA CITY COUNCIL PRESIDENT
JUN 5 2000
...

CERTIFIED
JUN 05 2000
Rose ...
MUNICIPAL CLERK



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

Website Directory Magazine
Attn: Tommy Cobb
3350 Wilshire Boulevard
Suite 835
Los Angeles, California 90010

00-R-0792

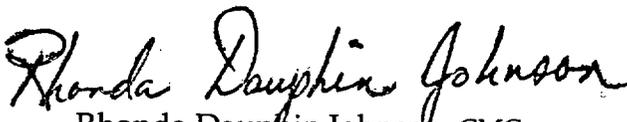
Dear Mr. Cobb:

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**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0204

Date: May 18, 2000

Claimant /Victim WEBSITE DIRECTORY MAGAZINE
BY: (Atty) (Ins. Co.)
Address: 3350 Wilshire Boulevard, Suite 835, Los Angeles, California 90010
Subrogation: Claim for damage \$ 1,919.86 Bodily Injury \$
Date of Notice: 3/27/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/29/00 Place: Atlanta Hartsfield International Airport
Department AVIATION Division
Employee involved Patricia Porter Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that it sustained travel expenses when a City employee misrepresented that she was the "decision maker" and promised that upon making a personal presentation, claimant would be awarded the contract to provide advertising services for the Airport's website. However, pursuant to Atlanta City Code §2-1138 (c) ... no city officer or employee shall order the procurement of supplies, services, construction, professional or consultant services and real estate or make any contract other than through the bureau of purchasing and real estate.

INVESTIGATION:

Statements: City employee Claimant X Others Written X Oral
Pictures Diagrams Reports: Police Dept Report Other X
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,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 05-19-00
Committee Action: Council Action

BURNS
04/04/00
Du

03-27-00 P04:55 IN
ENTERED - 4-10-00 - SB
00LO204 - GWEN BURNS

March 20, 2000

To Whom It May Concern:

RE: WebSite Directory Magazine
Misrepresentation / Reimbursement

*Pls. see attached
receipts of Bills.*

Because of gross negligent misrepresentation by airport city employee Patricia Porter, we are asking for reimbursement of our expenses that occurred.

Upon numerous phone calls Ms. Porter assured our management team that she was the decision maker, and that all was needed was for our team to come down with a presentation and pick up a purchase order number.

Under this understanding airport employee Lenoire Stalling made the hotel reservation for Mr. Cobb and Ms. A. Brown, our management team.

Upon arrival Mr. Cobb & Ms. A. Brown were continue in this misrepresentation even through presentation meetings they were taken aside privately and told by Ms. Porter not to be worried about what went on in the meeting, that she still could make the decision and get a purchase order to them.

Further investigation with city employee Ms. Linda James lead to the truth of this matter that Ms. Porter had misrepresented and could not make a decision nor could she give out a purchase order number.

Tommy Cobb
Tommy Cobb
National Advertising Manager

Alice Brown
Alice Brown
VP / Corp Sales

Hiawatha Small
Hiawatha Small
CEO

*total
1919.86*

00- R -0792

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	