

23

Entered - 09-24/99 - sb  
CL - 99L0628 DOBBS JORDAN

00- 2-0796

CLAIM OF: STEPHAN VELTMAN  
through his attorney,  
O. Mark Zamora  
P.O. Box 95406  
Atlanta, GA 30347-0406

For damages alleged to have been sustained as a  
result of personal injury on June 2, 1999 at  
Piedmont Park.

THIS ADVERSED REPORT IS  
APPROVED

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

ADVISED REPR.

COM. P.S.L.A

DATE 6/18/00

COMM. C.T.M. Antony

*Steph Velman*  
*Mark Zamora*  
*Stephan Veltman*  
*Mark Zamora*

**CERTIFIED**  
JUN 19 2000  
ATLANTA CITY COUNCIL PRESIDENT  
*Rosa A. Park*

**CERTIFIED**  
JUN 19 2000  
*Rosa A. Park*  
MUNICIPAL CLERK

ADVERSED BY  
CITY COUNCIL JUN 19 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**

July 3, 2000

O. Mark Zamora  
Attorney at Law  
P.O. Box 95406  
Atlanta, Ga 30347-0406

**00-R-0796**

**RE: Stephan Veltman**

Dear Attorney Zamora:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 19, 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*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0628

Date: May 30, 2000

Claimant /Victim STEPHAN VELTMAN
BY: (Atty) (Ins. Co.) O. MARK ZAMORA
Address: P.O. Box 95406, Atlanta, GA 30347-0406
Subrogation: Claim for Property damage \$ Bodily Injury \$ 8,000.00
Date of Notice: 09-20-99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 06-02-99 Place: Piedmont Park near tennis center
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained injuries to his leg and knee, while roller blading in Piedmont Park, when he struck a drag-line box in the roadway. An investigation determined that the drag-line box had been placed in the roadway by a private contractor working in the park on an infrastructure project at this location. The claim has been forwarded to the contractor's insurance carrier for resolution and the claimant's attorney has been notified of same.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved X 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 - DOBBS JORDAN

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 05-31-00
Committee Action: Council Action

David R. Montlick  
Alan Y. Saltzman<sup>o</sup>  
Kathy Edwards-Opperman\*

**MONTLICK & ASSOCIATES, P.C.**  
ATTORNEYS AT LAW

17 EXECUTIVE PARK DRIVE • SUITE 310  
P.O. BOX 95406 • ATLANTA, GEORGIA • 30347-0406  
TELEPHONE (404) 235-5000 • FACSIMILE (404) 321-3323

*Jordan*  
*09/20/99*  
Jonathan B. Pictor  
Orlando A. Marra\*\*  
Patrick R. Matarrese  
O. Mark Zamora\*\*  
Suzy A. Life  
Rory S. Chumley  
Sybil Bates McCormack  
Gerry Carty  
Glenn D. Chitlik  
Daniel Maldonado\*\*  
Claudine Souris

<sup>o</sup> Managing Attorney  
\* also admitted in NY, NJ, & N.S.W.

**ENTERED 9-24-99 - SB**  
**99L0628 - DOBBS JORDAN**

\*\* also admitted in FL

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Dianne Mitchell  
City of Atlanta  
Municipal Clerk  
55 Trinity Avenue SW  
Atlanta, GA 30335

RE: **ANTE LITEM NOTIFICATION**  
**Pursuant to O.C.G.A. §36-11-1**

Our Client: Stephan Veltman  
Date of Incident: June 2, 1999  
Location: Piedmont Park, Atlanta Georgia

Gentlemen:

We provide you with ante litem notification pursuant to Georgia Law O.C.G.A. §36-11-1 and all other pertinent statutes and inform as follow:

This is a claim made on behalf of Stephan Veltman who was injured at Piedmont Park on June 2, 1999. Mr. Veltman was enjoying the park, roller blading with a friend. He traveled in Piedmont Park which at that time was undergoing construction at most of its open-to-the-public areas. Mr. Veltman was using a well-traveled path and was circling a portion of the park with his friend. This path was being used that day by walkers, joggers, and bicyclists.

Alongside one section of the park, a City of Atlanta employee, agent, or representative without warning placed a metal object across the path where Mr. Veltman was roller blading. Mr. Veltman struck the object that was suddenly placed in the middle of the path.

Mr. Veltman makes a claim against the City of Atlanta claiming negligence, negligent maintenance, and failure to maintain a public area in a safe condition, among other theories. These theories are not exclusive, since our investigation is still ongoing.

The damages that Mr. Veltman suffered included pain and suffering, and wage loss. Please note that these theories of negligence are not inclusive as the investigation is still ongoing. Mr. Veltman has medical bills that exceed \$1,000. You are informed that Mr. Veltman's claim exceeds the sum of \$8,000.

We are hopeful that we will have a response to this notification within the statutory mandated deadline. In the event that I do not hear otherwise from you in seven days following your receipt of this letter, we will presume that the above meets each and every requirement of the official code of Georgia and the relevant statutes regarding ante litem notification.

Very truly yours,

MONTLICK & ASSOCIATES, P.C.

BY:



O. Mark Zamora  
Attorney at Law

ANTELITM:268060

00-*R*-0796

RCS# 2016  
6/19/00  
2:32 PM

Atlanta City Council

Regular Session

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Consent Agenda Pages (1 - 8)

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-0795  
00-R-0831

PRESIDENT PITTS RECUSED ON 00-  
O-0756.

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<b>06/19/00 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
<ol style="list-style-type: none"> <li>1. 00-O-0756*</li> <li>2. 00-O-0626</li> <li>3. 00-O-0749</li> <li>4. 00-O-0760</li> <li>5. 00-O-0829</li> <li>6. 00-O-0836</li> <li>7. 00-O-0709</li> <li>8. 00-O-0710</li> <li>9. 00-R-0750</li> <li>10. 00-R-0817</li> <li>11. 00-R-0839</li> <li>12. 00-R-0529</li> <li>13. 00-R-0813</li> <li>14. 00-R-0717</li> <li>15. 00-R-0823</li> <li>16. 00-R-0841</li> <li>17. 00-R-0819</li> <li>18. 00-R-0822</li> <li>19. 00-R-0828</li> <li>20. 00-R-0810</li> <li>21. 00-R-0856</li> </ol>	<ol style="list-style-type: none"> <li>22. 00-R-0796</li> <li>23. 00-R-0797</li> <li>24. 00-R-0798</li> <li>25. 00-R-0799</li> <li>26. 00-R-0800</li> <li>27. 00-R-0801</li> <li>28. 00-R-0802</li> <li>29. 00-R-0803</li> <li>30. 00-R-0804</li> <li>31. 00-R-0805</li> <li>32. 00-R-0806</li> <li>33. 00-R-0807</li> <li>34. 00-R-0808</li> <li>35. 00-R-0809</li> </ol> <p style="text-align: center; margin-top: 20px;">*PRESIDENT PITTS RECUSED ON 00-O-0756.</p>