

00-2-0946

Entered - 1-28-00 - sb
CL0010036 - GWENDOLYN BURNS

FAVORABLE REPORT

CLAIM OF: ALLSTATE INSURANCE COMPANY
as subrogee of Jennifer Prather
P.O. Box 227257
Dallas, TX 75222-7257

COM. Public Safety
DATE 6/27/00
CHM. Christy Mark

For damages alleged to have been sustained as a result of a vehicular accident on January 10, 2000 at 301 West Lake Avenue, NW.

Christy Mark
Public Safety

BY: PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to ALLSTATE INSURANCE COMPANY as subrogee of Jennifer Prather the sum of \$1,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on January 10, 2000 at 301 West Lake Avenue, NW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

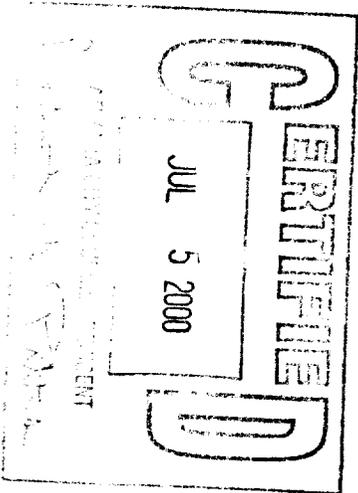
APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

ADOPTED BY

JUL 05 2000

BY: Robert N. Godfrey
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

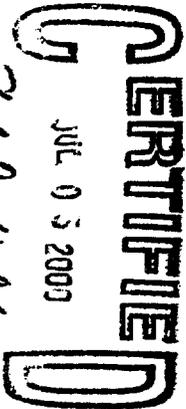
COUNCIL



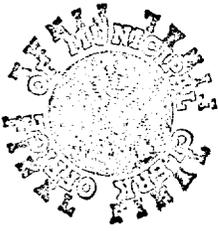
APPROVED

JUL 14 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



Robert N. Godfrey
MUNICIPAL CLERK



MUNICIPAL CLERK
ATLANTA, GEORGIA

00-R-0946

A RESOLUTION

BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Allstate Insurance Company as subrogee of Jennifer Prather** in the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on January 10, 2000 at 301 West Lake Avenue, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Shonda Daughen Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

JULY 05, 2000
JULY 13, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0036

Date: June 15, 2000

Claimant /Victim JENNIFER PRATHER
BY: (Atty) (Ins. Co.) ALLSTATE INSURANCE COMPANY
Address: P.O. Box 227257, Dallas, Texas 75222-7257
Subrogation: X Claim for Property damage \$ 7,736.17 Bodily Injury \$
Date of Notice: 1/20/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/10/00 Place: 301 West Lake Avenue, NW
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Clarissa Calloway Watson Disciplinary Action: 5-day suspension pending investigation

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck a city vehicle that was attempting to make a left turn.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X 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 X
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

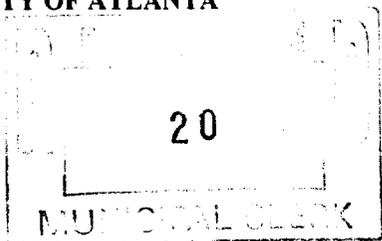
RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 06-16-00
Committee Action: Council Action

BURNS
01/27/00
R

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: Jan. 18, 2000

ENTERED - 01/28/00 - sb
00L0036 - GWEN BURNS
01-20-00A12:44 RCVD

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 7,736.71 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: JANUARY 10 - 2000 2. Time of Incident: 8:30am 3. Police called: X
(month/day/ year) Yes No

4. Location of incident (including street address): 301 West Lake Ave. NW at Simpson Rd NW

5. Name of your insurance company: Allstate Policy No. 021401701

6. State what and how incident occurred: I was sitting at the light on West Lake Ave. and Simpson St. when a City of Atlanta garbage truck was attempting to make a left turn from Simpson St onto West Lake Ave. and slid into me.

7. 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!

8. 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: Nissan 1993 368LGT Jennifer Prather
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Garbage Truck CHARISSA Calloway Watson City of Atlanta Sanitation
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Derryl Simmons 1843 Eastland Rd Atl. GA. 30316 (He was the occupant in the truck with her)
(Name) (Address) (Telephone Number)

10. The acknowledgment 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 employee(s).

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

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

Jennifer Prather
Signature of Claimant

Jennifer Prather
(Print Claimant's Name)

3539 RIVER Birch Trail
(Address)

Decatur, GA. 30034
(City, State and Zip Code)

404 299-5702 404-241-7414
(Work Number) (Home Number)

P.S.
Hopefully I will be reimbursed for the rental car to get back and forth to work

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0036

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND DOLLARS AND NO/100s DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, including but not limited to Clarissa Calloway Watson from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident which occurred on or about the 10th day of January, 2000, at or near 301 West Lake Avenue, NW.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 1 day of June 2000.

Jan Koester (LS)
Allstate Insurance Company as subrogee of
Jennifer Prather

_____ (LS)

The above release was read and explained to, and signed by the said Allstate Insurance Company as subrogee of Jennifer Prather in our presence on the date above written.

[Signature]

WITNESSES

RCS# 2057
7/05/00
1:38 PM

Atlanta City Council

Regular Session

**_*_*_*_*_*_*_*

Consent Agenda pgs. 1-13

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Adopt

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0982
00-O-0996
00-R-0954
00-R-0981
00-R-0999

**_*_*_*_*_*_*_*

07/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-0882	38. 00-R-0914
2. 00-O-0815	39. 00-R-0915
3. 00-O-0986	40. 00-R-0916
4. 00-O-0987	41. 00-R-0917
5. 00-O-0988	42. 00-R-0918
6. 00-O-1002	43. 00-R-0919
7. 00-O-0574	44. 00-R-0920
8. 00-O-0972	45. 00-R-0921
9. 00-O-0818	46. 00-R-0922
10. 00-R-0990	47. 00-R-0923
11. 00-R-0992	48. 00-R-0924
12. 00-R-0993	49. 00-R-0925
13. 00-R-0885	50. 00-R-0926
14. 00-R-0884	51. 00-R-0927
15. 00-R-0883	52. 00-R-0928
16. 00-R-0880	53. 00-R-0929
17. 00-R-0814	54. 00-R-0930
18. 00-R-0957	55. 00-R-0931
19. 00-R-0961	56. 00-R-0932
20. 00-R-0998	57. 00-R-0933
21. 00-R-0887	58. 00-R-0934
22. 00-R-0888	59. 00-R-0935
23. 00-R-0889	60. 00-R-0936
24. 00-R-0997	61. 00-R-0937
25. 00-R-0892	62. 00-R-0938
26. 00-R-0955	63. 00-R-0939
27. 00-R-0984	64. 00-R-0940
28. 00-R-1000	65. 00-R-0941
29. 00-R-0908	66. 00-R-0942
30. 00-R-0909	67. 00-R-0943
31. 00-R-0910	68. 00-R-0947
32. 00-R-0911	69. 00-R-0948
33. 00-R-0912	70. 00-R-0949
34. 00-R-0913	71. 00-R-0950
35. 00-R-0944	72. 00-R-0951
36. 00-R-0945	
37. 00-R-0946	