

00-R-1046

Entered - 02/10/99 - sb
CL99L0076 - DIANNE C. MITCHELL

CLAIM OF: DELORIS NORMAN, a minor,
through her attorney,
William N. Robbins
P. O. Box 7930
Atlanta, Georgia 30357

For damages alleged to have been sustained as a
result of personal injuries on January 19, 1999 at
Daniel L. Stanton Park.

THIS ADVERSED REPORT IS
APPROVED

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

ADVISED BY REPORT

Case # 7-59461A
Date 7/11/00

E. T. ...
Henry ...

ADVERSED BY
CITY COUNCIL JUL 17 2000

CERTIFIED
JUL 17 2000
ATLANTA CITY COUNCIL PRESIDENT
...

CERTIFIED
JUL 17 2000
Rosalind Rubens Newell
MUNICIPAL CLERK



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

August 1, 2000

William N. Robbins
Attorney at Law
P.O. Box 7930
Atlanta, GA 30357

00-R-1046

RE: Deloris Norman, a minor

Dear Attorney Robbins:

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 July 17, 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. 99L0076

Date: June 26, 2000

Claimant /Victim DELORIS NORMAN, a minor
BY: (Atty) William N. Robbins
Address: P. O. box 7930, Atlanta, Georgia 30357
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 02/03/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 01/18/99 Place: Daniel Stanton Park
Department Parks, Recreation and Cultural Affairs Division: Recreation
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured while playing on the slide located in the playground area. The City had no notice of any problems with the slide prior to the incident involving the claimant. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

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 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 - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 6/26/00
Committee Action: Council Action

WILLIAM N. ROBBINS,
Attorney at Law, P.C.

Post Office Box 7930 (30357)
1069 Spring Street, N.W.
Atlanta, GA 30309-3842

Telephone: (404) 876-8116
Facsimile: (404) 897-1636

REEVES
02/03/99


February 1, 1999

ENTERED - 2-10-99 - SB
99L0076 - MIKE REEVES

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Campbell, Mayor
City of Atlanta
City Hall, Suite 2400
55 Trinity Ave., SW
Atlanta, GA 30335

Mr. Robert L. Pitts, President
Atlanta City Council
City Hall, Suite 2700
55 Trinity Ave., SW
Atlanta, GA 30335

RE: Written Notice of Claim Pursuant to O.C.G.A. § 36-33-5
on Behalf of Deloris Norman, a minor
Place of Incident: Daniel L. Stanton Rec. Center
Date of Incident: 01/18/99
Our File Number: 99001P12

Gentlemen:

Please be advised that our firm has been retained to represent Deloris Norman, a minor, in processing a claim for injuries she received as a result of the above-referenced accident. The purpose of this letter is to put you on notice of Deloris Norman's claim for injuries sustained as a result of this incident pursuant to O.C.G.A. § 36-33-5. Please direct all future correspondence to the undersigned.

On January 18, 1999, at approximately 2:41 p.m., Deloris Norman was playing on a slide at the Daniel L. Stanton Recreation Center located at 213 Haygood Avenue, Atlanta, Georgia, 30315. Deloris Norman suffered severe electrical burns to her hands and arms while playing on a plastic slide on said property.

It is our position that the injuries suffered by Deloris Norman were as a direct result of the negligence of the City of Atlanta. It is Deloris Norman's intention to file suit unless this matter is resolved. I look forward to hearing from you regarding

City of Atlanta Mayor & Council Pres.
February 1, 1999
Page 2

our client's claim within the next thirty (30) days of receipt of this claim.

Thank you for your assistance and cooperation in this matter.

Very truly yours,

WILLIAM N. ROBBINS, P.C.



William N. Robbins
Attorney at Law

WNR/smd

cc: Ms. Michelle Norman

00- R -1046