

Entered - 07/06/00 - sb
CL0010418 - DIANNE C. MITCHELL

CLAIM OF: MONICAL L. BUCHANAN,
through her attorney,
Wayne B. Kendall
130 North Hill Street
Griffin, Georgia 30223

For damages alleged to have been sustained
as a result of a vehicular accident on March
10, 2000 at Interstate 75 and University
Avenue. **CONSENT AGENDA**

THIS ADVERSED REPORT IS
APPROVED

BY Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

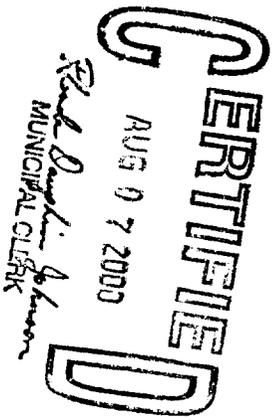
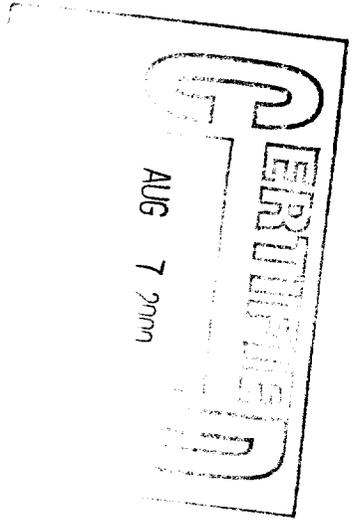
ADVERSE REPORT

COM Public Safety

SR 8/1/00

S. T. Martin
[Handwritten signatures]

ADVERTISED BY AUG 07 2000
CITY CLERK



August 28, 2000

Wayne B. Kendall
Attorney at Law
130 North Hill Street
Griffin, GA 30223

00-R-1162

RE: Monica L. Buchanan

Dear Attorney Kendall:

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 August 07, 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. 00L0418

Date: July 18, 2000

Claimant /Victim MONICA L. BUCHANAN

BY: (Atty.) Wayne B. Kendall

Address: 130 North Hill Street, Griffin, Georgia 30223

Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated

Date of Notice: 06/30/00 Method: Written, proper X Improper

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

Date of Occurrence 03/10/00 Place: Interstate 75 and University Avenue

Department Police Division:

Employee involved Monica Buchanan Disciplinary Action:

NATURE OF CLAIM: The claimant's attorney alleges that she was injured in a vehicular accident with a privately owned vehicle. The investigation determined that the claimant is a City of Atlanta police officer and was on duty at the time of this accident. The claimant's exclusive remedy against the City for any personal injuries that she may have sustained is through her Worker's Compensation Benefits. The claimant's attorney has been advised of the above.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X 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 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,

[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 07-18-00

Committee Action: Council Action

THE KENDALL LAW FIRM, P. C.

ATTORNEYS AT LAW

130 NORTH HILL STREET
GRIFFIN, GEORGIA 30223
770/228-0558
FAX 770/229-1906

Mitchell
07/06/00
[Signature]
NEWNAN OFFICE
7 GREENVILLE STREET
NEWNAN, GEORGIA 30263
770/253-8636
FAX 770/253-8493

June 28, 2000

ENTERED - 7-6-00 - SB
00L0418 - DIANNE MITCHELL

City of Atlanta
Department of Administrative Services
68 Mitchell Street, S.W.
Atlanta, GA 30348

RE: Our Client: Monica L. Buchanan
Date of Accident: 03/10/00

Dear Colleagues:

Please be advised that our firm has been retained by Officer Monica L. Buchanan to represent her in regards to the above referenced automobile accident. We have enclosed a copy of the accident report for your convenience. We have been notified by the insurance carrier for the driver of the other vehicle that she there was no insurance coverage at the time of this accident. Therefore, we would like to file an uninsured motorist claim in this case with the City of Atlanta.

Pursuant to O.C.G.A. Section 33-3-28, we request a sworn statement of a corporate officer or the insurer's claims manager stating the name of the insurer, the name of each insured, and the limits of the policy. You may provide a copy of the declaration page of the policy in lieu of providing such information.

Please forward all future correspondences in this matter to the Griffin address above. Thank you for your cooperation and assistance in this matter.

Sincerely,

[Signature]
WAYNE B. KENDALL

WBK/tek

Enclosure

00- *ℓ* -1162

RECEIVED
Commissioner's Office
JUN 30 2000
Department of
Administrative Services