

Entered - 04/22/99 - sb  
CL99L0233 - DIANNIE C. MITCHELL

00-1-1189

CLAIM OF: CAROL MASSEY,  
through her attorney,  
Rita Tucker Williams  
220 Church Street  
Decatur, Georgia 30030

For damages alleged to have been sustained as a  
result of a vehicular accident on October 18, 1998  
at Georgia Avenue and Hill Street.

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 CAROL  
MASSEY, through her attorney, Rita Tucker  
Williams 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 October 18, 1998 at Georgia  
Avenue and Hill Street 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

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

**FAVORABLE REPORT**

COM. *Public Safety*

DATE *8/1/2000*

CHM. *E. T. Martin*

*[Signature]*  
*[Signature]*  
*[Signature]*

CONSENT AGENDA

**APPROVED**

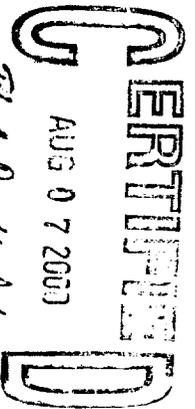
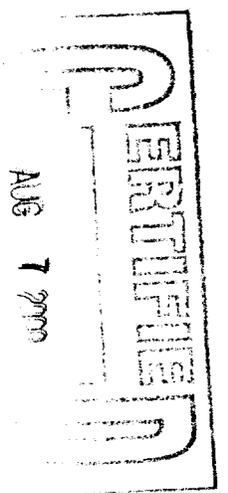
AUG 16 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW

ADOPTED BY

AUG 07 2000

COUNCIL



*Ronald D. Johnson*  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**00-R-1189**

**A RESOLUTION**

**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 **Carol Massey, through her attorney, Rita Tucker Williams** 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 October 18, 1998 at Georgia Avenue and Hill Street** 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,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

AUG 07, 2000

AUG 16, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0233

Date: July 5, 2000

Claimant /Victim CAROL MASSEY
BY: (Atty) Rita Tucker Williams
Address: 220 Church Street, Decatur, Georgia 30030
Subrogation: Claim for Property damage \$ Bodily Injury \$ 30,000.00
Date of Notice: 04/16/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/18/98 Place: Georgia Avenue and Hill Street
Department Police Division:
Employee involved L. M. Tilghman Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle failed to exercise due caution upon entering the above intersection on a flashing yellow light and collided with the vehicle in which the claimant was riding personal injuries in the above amount.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
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,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: [Signature] Concur/date 07/19/00
Committee Action: Council Action

THE LAW FIRM OF  
**WILLIAMS & ASSOCIATES**

COMMITTED TO LEGAL EXCELLENCE  
220 CHURCH STREET  
DECATUR, GEORGIA 30030

*Mitchell*  
*04/16/99*  
*DM*

(404) 370-3783

Fax (404) 370-0884

*\*PLEASE NOTE OUR NEW ADDRESS\**

**April 16, 1999**

ENTERED - 4-22-99 - BS  
99L0233 - DIANNE MITCHELL

**VIA HAND DELIVERY**

**The Honorable William Campbell  
Mayor, City of Atlanta  
55 Trinity Avenue  
Suite 2400  
Atlanta, GA 30335**

**City Counsel, City of Atlanta  
55 Trinity Avenue, SW  
Suite 2900  
Atlanta, GA 30335**

**ANTE LITEM NOTICE**

**Re: Our Clients: Ms. Evelyn Massey  
Ms. Carol Massey  
Your Employee: Officer Leroy Tilghman  
City of Atlanta Police  
D.O.A.: 10-18-98**

**Dear Mayor Campbell and City Counsel:**

**Please be advised that the law firm of Williams & Armwood represents Ms. Evelyn Massey and Ms. Carol Massey. The attorney of record is Rita Tucker Williams. Please forward all correspondence and communications to our office.**

**Please be further advised that pursuant to O.C.G.A. sec. 36-33-5, Ms. Evelyn Massey and Ms. Carol Massey are giving notice that on October 18, 1998, they each received personal injuries as the direct result of an automobile accident in which they were involved with Officer Leroy Tilgham, of the City of Atlanta Police Department.**

**The full extent of their injuries and the amount of their specials are not known at this time. However, Ms. Evelyn Massey, who was seventy-one (71) at the time of this accident, sustained contusions to her body and was severely bruised. Ms. Carol Massey, who suffers with multiple sclerosis sustained contusions, as well as, injury to her knee. Both Ms. Evelyn Massey and Ms. Carol Massey received emergency treatment after this crash. The full extent of her injuries, and their total specials will be supplemented at a later time. We have enclosed pictures of Evelyn and Carol Massey, as well as, copies of medical bills that they have incurred to date.**

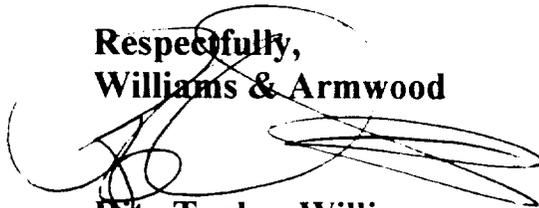
**Although Ms. Evelyn Massey was charged with failure to yield at an intersection, that charged was dismissed. We have enclosed a copy of the case disposition.**

**Should there be any questions, please contact our office.**

**We look forward to hearing from your office.**

**Thank you for your attention.**

**Respectfully,  
Williams & Armwood**

A handwritten signature in black ink, appearing to read 'Rita Tucker Williams', is written over the typed name below. The signature is fluid and somewhat stylized, with a large loop at the beginning and a long horizontal stroke at the end.

**Rita Tucker Williams  
Ga. Bar No. 763978**

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 99L0233

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100  
                     DOLLARS, to be paid to me 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 L. M. Tilghman, 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 18th day of October, 1998,

at or near Georgia Avenue and Hill Street

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 \_\_\_\_\_ day of 7-7-2000, 2000.

Carol D. Massey (LS)  
**CAROL MASSEY**

[Signature] (LS)  
**RITA TUCKER WILLIAMS, ATTORNEY AT LAW**

The above release was read and explained to, and signed by the said \_\_\_\_\_

Carol D. Massey in our presence on the date above written.

[Signature]  
[Signature]  
Witnesses

RCS# 2153  
8/07/00  
4:06 PM

Atlanta City Council

Regular Session

CONSENT 1

Pages 1-15 KP

Adopt

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

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1102  
00-R-1197  
00-R-1106  
00-R-1123  
00-R-0721

<b>08/07/00 Council Meeting</b>		
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 00-O-1009	41. 00-R-1175	64. 00-R-1148
2. 00-O-1010	42. 00-R-1176	65. 00-R-1149
3. 00-O-1011	43. 00-R-1177	66. 00-R-1150
4. 00-O-1012	44. 00-R-1178	67. 00-R-1151
5. 00-O-1079	45. 00-R-1179	68. 00-R-1152
6. 00-O-0834	46. 00-R-1180	69. 00-R-1153
7. 00-O-1065	47. 00-R-1181	70. 00-R-1154
8. 00-O-1004	48. 00-R-1182	71. 00-R-1155
9. 00-O-1112	49. 00-R-1183	72. 00-R-1156
10. 00-R-1139	50. 00-R-1184	73. 00-R-1157
11. 00-R-1140	51. 00-R-1185	74. 00-R-1158
12. 00-R-1141	52. 00-R-1186	75. 00-R-1159
13. 00-R-1142	53. 00-R-1187	76. 00-R-1160
14. 00-R-1144	54. 00-R-1188	77. 00-R-1161
15. 00-R-1204	55. 00-R-1189	78. 00-R-1162
16. 00-R-1208	56. 00-R-1190	79. 00-R-1163
17. 00-R-1209	57. 00-R-1191	80. 00-R-1164
18. 00-R-1210	58. 00-R-1192	81. 00-R-1165
19. 00-R-1106	59. 00-R-1193	82. 00-R-1166
20. 00-R-1146	60. 00-R-1199	83. 00-R-1167
21. 00-R-1147	61. 00-R-1200	84. 00-R-1168
22. 00-R-1194	62. 00-R-1201	85. 00-R-1169
23. 00-R-1203	63. 00-R-1202	86. 00-R-1170
24. 00-R-1205		87. 00-R-1171
25. 00-R-1212		88. 00-R-1172
26. 00-R-1213		89. 00-R-1173
27. 99-R-1145		90. 00-R-1174
28. 99-R-1932		
29. 00-R-1108		
30. 00-R-1110		
31. 00-R-1129		
32. 00-R-1130		
33. 00-R-1131		
34. 00-R-1134		
35. 00-R-1206		
36. 00-R-1121		
37. 00-R-0329		
38. 00-R-1136		
39. 00-R-1137		
40. 00-R-1138		