

00-~~R~~-1246

Entered - 03/29/00 - sb  
CL00L0188 - DIANNE C. MITCHELL

CLAIM OF: KENNETH HAYDEN CASEY,  
through his insurance carrier,  
Liberty Mutual Group  
5000 Tilghman Street  
Suite 300  
Allentown, PA 18104

For damages alleged to have been sustained  
as a result of a vehicular accident on  
November 1, 1999 at I-285 and GA Highway  
166..

THIS ADVERSED REPORT IS  
APPROVED

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

*Rubens Safety*

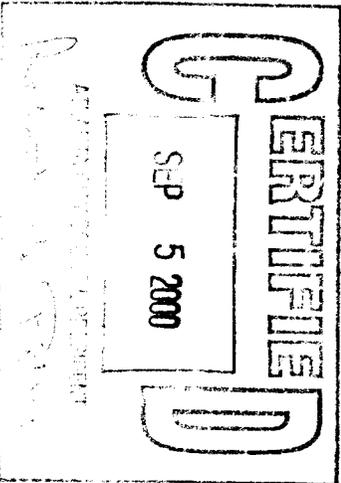
*8/15/2000*

*C.T. Martin*

*Markus Rusk*

*Steve Prater*

CONSENT AGENDA



CERTIFIED  
SEP 05 2000

*Rosalind Rubens*  
MUNICIPAL CLERK

ADMITTED TO THE CITY OF ALLTOWN  
SEP 05 2000



## 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

September 18, 2000

Liberty Mutual Group  
Insurance Carrier  
Attn: Patricia Collins  
5000 Tilghman Street  
Suite 300  
Allentown, PA 18104

**00-R-1246**

**RE: Kenneth Hayden Casey**

Dear Ms. Collins:

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 January 03, 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. 00L0188

Date: July 28, 2000

Claimant /Victim KENNETH HAYDEN CASEY
BY: (Ins. Co.) Liberty Mutual Group
Address: 5000 Tilghman Street, Suite 300, Allentown, PA 18104
Subrogation: X Claim for Property damage \$ 5,729.60 Bodily Injury \$
Date of Notice: 03/29/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/01/99 Place: I-285 and GA Highway 166
Department Police Division:
Employee involved Todd Peck Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The driver of the City vehicle was following too closely and rear-ended the claimant's vehicle causing damages in the above amount. However, the claimant's insurance carrier has rejected the City's settlement offer.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected X Compromise settlement
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 \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 07-28-00
Committee Action: Adverse to CC on 9/5/00 Council Action

**LIBERTY  
MUTUAL.**



*Mitchell*  
*03/24/00*  
*DM*

**Liberty Mutual Group**

Commerce Plaza  
5000 Tilghman Street, Suite 300  
Allentown, PA 18104  
(610) 391-9391  
(800) 521-0986

MARCH 14, 2000

CITY OF ATLANTA  
POLICE DEPARTMENT  
675 PONCE DE LEON  
ATLANTA GA 30308

ENTERED - 3-29-00 - SB  
00L0188 - DIANNE MITCHELL

OUR INSURED: KENNETH HAYDEN CASEY  
OUR CLAIM NUMBER: PD586-418313-01  
YOUR INSURED: CITY OF ATLANTA  
YOUR CLAIM NUMBER: UNKNOWN  
DATE OF LOSS: 11/01/99  
PLACE OF LOSS: I 285 ATLANTA, GA

Dear CITY OF ATLANTA

Our investigation shows your Insured is responsible for this loss.

Enclosed is our subrogation documentation to justify our claim.

We have paid	\$ 5738.10
Salvage (if applicable)	\$ 517.50
Our Insured's Deductible	\$ 500.00
Total Amount of Damages	\$ 5729.60

Please show our file number when you forward your check to my attention.

Sincerely,  
PATRICIA COLLINS, EXT 282  
Subrogation Department

ENCLOSURE

**00- -1246**

RCS# 2194  
9/05/00  
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-12

Adopt

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
NV Bond  
Y Winslow

Y Dorsey  
NV Woolard  
Y Morris  
Y Muller

Y Moore  
Y Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1007  
00-R-1309

CONSENT

<b>09/05/00 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 00-O-1102	40. 00-R-1235
2. 00-O-1143	41. 00-R-1245
3. 00-O-1207	42. 00-R-1246
4. 00-O-1295	43. 00-R-1247
5. 00-O-1303	44. 00-R-1248
6. 00-O-1313	45. 00-R-1249
7. 00-O-1124	46. 00-R-1250
8. 00-O-1125	47. 00-R-1251
9. 00-O-1126	48. 00-R-1252
10. 00-O-1127	49. 00-R-1253
11. 00-O-1128	50. 00-R-1254
12. 00-O-1133	51. 00-R-1255
13. 00-O-1196	52. 00-R-1256
14. 00-O-1298	53. 00-R-1257
15. 00-O-1122	54. 00-R-1258
16. 00-O-1300	55. 00-R-1259
17. 00-R-1198	56. 00-R-1260
18. 00-R-1230	57. 00-R-1261
19. 00-R-1290	58. 00-R-1262
20. 00-R-1312	59. 00-R-1263
21. 00-R-1316	60. 00-R-1264
22. 00-R-1265	
23. 00-R-1266	
24. 00-R-1267	
25. 00-R-1268	
26. 00-R-1270	
27. 00-R-1314	
28. 00-R-1229	
29. 00-R-1233	
30. 00-R-0886	
31. 00-R-1236	
32. 00-R-1237	
33. 00-R-1238	
34. 00-R-1239	
35. 00-R-1240	
36. 00-R-0241	
37. 00-R-1242	
38. 00-R-1243	
39. 00-R-1244	