

Entered - 05/19/00 - sb  
CL0010309 - DIANNE C. MITCHELL

**00-~~2~~-1248**

CLAIM OF: DESHAWN MUNGIN  
6484 Charter Way  
Lithonia Georgia 30058

For damages alleged to have been sustained  
as a result of vehicular damage due to towing  
on April 6, 2000 at 180 Harriet Street.

THIS ADVERSED REPORT IS  
APPROVED

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

CONSENT AGENDA

ADVERSED REPORT  
COM. *Public Safety*  
DATE *8/15/2000*  
BY *C. T. Mc...*  
*[Signature]*  
*[Signature]*  
*[Signature]*

**CERTIFIED**  
SEP 5 2000  
ADVERSE REPORTS DEPARTMENT  
*[Signature]*

**CERTIFIED**  
SEP 05 2000  
*Rosalind Doughton Johnson*  
MUNICIPAL CLERK

ADVERSED  
CITY COUNCIL  
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 19, 2000

Deshawn Mungin  
6484 Charter Way  
Lithonia, GA 30058

**00-R-1248**

Dear Mr. Mungin:

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 claim at its regular meeting on September 05, 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.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0309

Date: July 31, 2000

Claimant /Victim DESHAWN MUNGIN

BY: (Atty)

Address: 6484 Charter Way, Lithonia, Georgia 30058

Subrogation: Claim for Property damage \$ 350.00 Bodily Injury \$

Date of Notice: 05/10/00 Method: Written, proper X Improper

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

Date of Occurrence 04/06/00 Place: 180 Harriet Street

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when it was towed by A-Tow. The City is not responsible for the tort actions of its contractors. The claimant has been advised to pursue her claim directly with A-Tow.

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 Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X 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 07-31-00

Committee Action: Adverse to CC on 9/5/00 Council Action

Council of The City Of Atlanta  
Clerk of The Council  
City Hall  
55 Trinity Ave. S.W.  
Atlanta, GA 30335

00-10-00 P05:52 IN

Re: Claim for Damages

Today's Date: 5-1-00

Reeves  
05/17/00  
*[Signature]*

Dear Sir or Madam:

ENTERED - 5-19-00 - SB  
00L0309 - MIKE REEVES

This is to notify the City of Atlanta that I have suffered damages in the sum of \$ 350.00 Property and/or \$ 0 bodily for which I contend the City is liable.

1. Date of Incident April 6, 2000 2. Police Called ✓ → 4-6-00  
Month/Day/Year (Yes) (No)

3. Location of Incident 180 HARRIET STREET, ATLANTA, GA 30315

4. Name of your Insurance Company LIBERTY MUTUAL Policy # A07-251-988962-007

5. State what and how the incident occurred In the process of towing my vehicle, the passenger side door was jimmied and the wiring was knocked out of place and my car was scratched up in the process. I cannot roll down the window, or lock or unlock pass.

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION. *(SEE ATTACHED)*

7. The registered owner must make the claim for vehicle damages. Complete the following and attach two (2) estimates of repair.

Your Vehicle: PONTIAC 1998 170LSM DeShawn Mungin  
(Make) (Year) (Tag #) (Drivers Name)

City Vehicle: Tow truck (SEE TOW RECEIPT)  
(Make) (Drivers Name) (Department)

8. Witness: BILL MAZONE 6484 CHARTER Way, Lithonia 30058 770-482-0230  
(Name) (Address) (Phone)

9. The acknowledgement of this claim in no way waives the Governmental 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 employees.

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

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE.

DeShawn Mungin (SEAL)  
(Claimant)  
6484 Charter Way  
(Address)

Lithonia Georgia 30058 770-482-0230/404-979-7228  
(City) (State) (Zip) (Home Phone) (Bus. Phone)

00- -1248

MELINDA J. COLLINS *Melinda J. Collins, Notary*  
Notary Public, Clayton County, Georgia  
My Commission Expires January 4, 2003 *May 1, 2000*

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	