



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

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SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

September 18, 2000

Edward T. M. Garland, Sam L. Starks
Garland, Samuel & Loeb
Attorneys at Law
3151 Maple Drive, NE
Atlanta, GA 30305

00-R-1262

RE: Karlos Reddings

Dear Attorney Starks:

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. 00L0434

Date: August 3, 2000

Claimant /Victim KARLOS REDDING
BY: (Atty) (Ins. Co.) Edward T. M. Garland, Sam L. Starks, GARLAND, SAMUEL & LOEB, P.C.
Address: 3151 Maple Drive, NE, Atlanta, Georgia 30305
Subrogation: Claim for Property damage \$ Bodily Injury \$ unspecified
Date of Notice: 7/5/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 Ante Litem (6 Mo.)
Date of Occurrence 1/5/00 Place: 861 Dill Avenue
Department POLICE Division
Employee involved Richard K. Lewis Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained injuries when he was assaulted, battered, falsely arrested and imprisoned by Atlanta Police Officer R. K. Lewis. Claimant further alleges that Officer Lewis used excessive and unauthorized force during his apprehension and arrest. However, the claim as presented does not comply with the same requirements of notice as set forth in O.C.G.A. Section 36-33-5(b). The six month statute of limitation expired prior to receipt of the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
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 X Other 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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 08-04-00
Committee Action: Adverse to CC on 9/5/00 Council Action

00L0434
GB

Garland, Samuel & Loeb, P.C.

TRIAL ATTORNEYS

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Edward T. M. Garland
Donald F. Samuel
Robin N. Loeb
Anne H. Coolidge-Kaplan
Jana Lauren Harris
Nelson O. Tyrone III
Samuel L. Starks

July 5, 2000

Reuben A. Garland (1903-1982)

BY HAND DELIVERY

Bill Campbell, Mayor
City of Atlanta
55 Trinity Avenue
Suite 2400
Atlanta, Georgia 30335

Beverly Harvard, Chief of Police
City of Atlanta
City Hall East
675 Ponce de Leon Avenue, N.E.
Atlanta, Georgia 30308

Susan Pease Langford, City Attorney
City of Atlanta Law Department
68 Mitchell Street, Suite 4100
Atlanta, Georgia 30335

Doug Alexander
Atlanta City Council
55 Trinity Avenue, S. W.
Suite 2900
Atlanta, Georgia 30335

JUL 5 2000
Received
Clair Muller's
Office

Robb Pitts, President
Atlanta City Council
55 Trinity Avenue, S.W.
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Atlanta City Council
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“Able” Mable Thomas
Atlanta City Council
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Atlanta, Georgia 30335

Julia Emmons
Atlanta City Council
55 Trinity Avenue, S.W.
Suite 2900
Atlanta, Georgia 30335

Re: Karlos Redding

Dear Sirs and Mesdames:

This letter will serve as our anti-litem notice to Mayor Bill Campbell, the Atlanta City Council and the City of Atlanta Police Department, pursuant to O.C.G.A. §36-33-5, in reference to the incident described below.

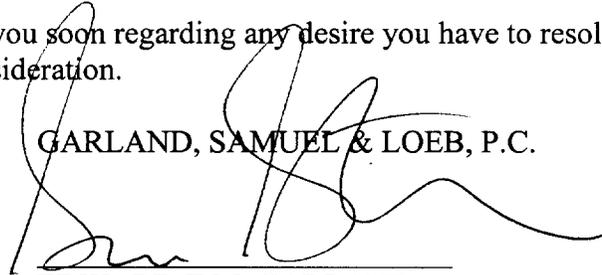
On January 5, 2000, Karlos Redding suffered injuries resulting from a violation of his state and federal constitutional rights and violations of Georgia law by Officer Richard K. Lewis. At or about 1:00 am on January 5, 2000, Officer Lewis responded along with other officers from the City of Atlanta Police Department to a trespass call at 861 Dill Avenue, Atlanta, Georgia, 30310. When Officer Lewis arrived at 861 Dill Avenue, he saw Mr. Redding and several other individuals at that residence.

Without probable cause or legal justification, Officer Lewis arrested Mr. Redding and struck him numerous times about his face and body. The conduct of Officer Lewis was excessive and unreasonable and in violation of the Fourth Amendment to the United States Constitution.

Pursuant to 42 U.S.C. §1983, we intend to file suit against the City of Atlanta, and the Atlanta Police Department for the deliberate indifference shown towards the safety and constitutional rights of Karlos Redding. In addition, we intend to file suit against Officer Lewis for assault, battery, false arrest and false imprisonment.

We look forward to hearing from you soon regarding any desire you have to resolve this matter. Thank you for your time and consideration.

GARLAND, SAMUEL & LOEB, P.C.



EDWARD T.M. GARLAND
SAM L. STARKS

ETMG/SLS:sb

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

09/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
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	

CLAIM OF: KARLOS REDDING

through his attorneys,

EDWARD T. M. GARLAND, SAML. STARKS

GARLAND, SAMUEL & LOEB, P.C.

3151 Maple Drive, NE

Atlanta, Georgia 30305

For damages alleged to have been sustained as a result of a police incident on January 5, 2000 at 861 Dill Avenue.

THIS ADVERSED REPORT IS APPROVED

CONSENT AGENDA

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

ADVERSED BY CITY COUNCIL SEP 05 2000

ADVERSED REPORT

COM. *Public Safety*

DATE *8/15/2000*

CHM *C. T. Marks*

Edward T. M. Garland

Samuel & Loeb, P.C.

CERTIFIED
SEP 5 2000

CERTIFIED
SEP 05 2000

Rosalind Rubens Newell
MUNICIPAL CLERK