

CL0010459 - DIANNE C. MITCHELL

CLAIM OF: CHARLOTTE GILL,

through her attorney,

Jeffrey Flynn

Suite 414

1447 Peachtree Street, NE

Atlanta, Georgia 30309

For damages alleged to have been sustained
as a result of a fall in a building on May 25,
2000 at 1020 Bolton Road.

THIS ADVERSED REPORT IS
APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED REPORT

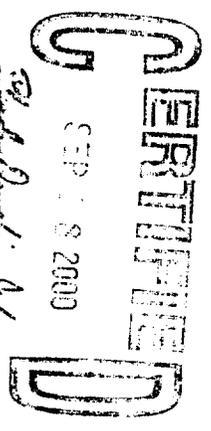
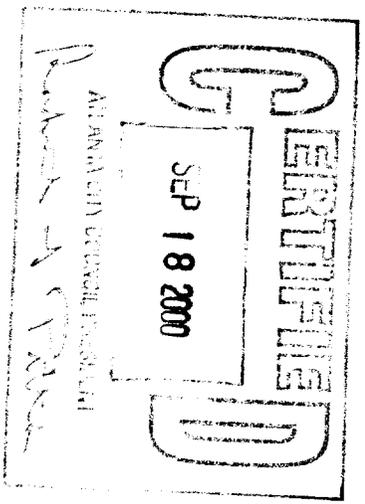
Public Safety

9/13/00

City of Atlanta
Michael R. ...

Ermy Akel

Thomas ...
Debra ...



ADVERSED BY
CITY COUNCIL SEP 18 2000

September 28, 2000

Jeffrey Flynn
Attorney at Law
1447 Peachtree St., NE
Suite 414
Atlanta,GA 30309

00-R-1364

RE: Charlotte Gill

Dear Attorney Flynn:

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. 00L0459

Date: August 16, 2000

Claimant /Victim CHARLOTTE GILL
BY: (Atty) Jeffrey Flynn
Address: Suite 414, 1447 Peachtree Street, NE, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Bodily Injury \$ 500,000.00
Date of Notice: 07/28/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 05/25/00 Place: 1020 Bolton Road
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when she fell at the above location. The investigation determined that this property belongs to the Atlanta Housing Authority. The Atlanta Housing Authority is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised of the above.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police 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 08/16/00
Committee Action: Council Action

Dianne

MORRISS & WITCHER

A Professional Association

ATTORNEYS AT LAW

SUITE 414

1447 PEACHTREE STREET, NE

ATLANTA, GEORGIA 30309

Fax (404) 881-1433

Telephone (404) 881-1700

Mitchell
07/28/00
DM

WINSTON H. MORRISS (1946-1994)

ROBERT P. WITCHER P.C.

JEFFREY FLYNN, P.C.

JONATHON HOEL

ENTERED - 8-1-00 - SB

00L0456 - DIANNE MITCHELL

of counsel:

GERALD TALANSKY

CARL RAUSCHENBERG

July 21, 2000

Ante-Litem Notice

ROBB PITTS
PRESIDENT, ATLANTA CITY COUNCIL
55 TRINITY AVENUE, S.W.
SUITE 2900
ATLANTA, GEORGIA 30335

MAYOR BILL CAMPBELL
55 TRINITY AVENUE, S.W.
SUITE 2400
ATLANTA, GEORGIA 30335

RE: Client: CHARLOTTE GILL
Date of Birth: 04/01/56
Date of Loss: May 25, 2000
Location of Property: 1020 BOLTON ROAD, BLDG.6, APT. 7
ATLANTA, GEORGIA 30331

Dear Mr. Pitts and Mayor Campbell:

This is to inform you that a claim is being made as per O.C.G.A. Section 36-33-5, against the City of Atlanta for personal injuries to the above referenced person as a result of the negligence of the City and its employees, as well as the failure of the City of Atlanta Housing Authority to perform their duties.

The time of the incident is above, the location of the incident is above, the extent of the injury is that the above referenced person suffered legs and feet injuries, resulting in mental and physical damages as a result of falling through the floor into a hole, when the floor gave way.

PITTS/CAMPBELL

July 21, 2000

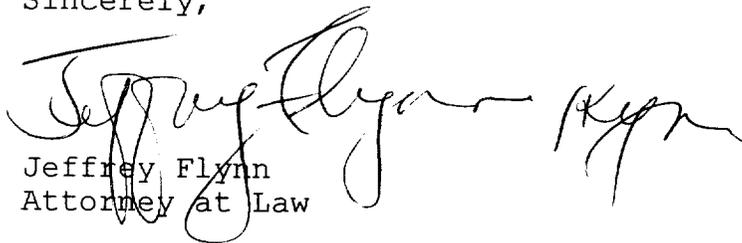
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Ms. Gill reported the incident the manager of the apartment complex and requested an investigation and correction of the hole. Employees came made repairs to the hole.

The amount of the loss is in excess of \$500,000.00, due to the severe trauma of her injuries, pending physical therapy, lost of income due to disability and pain and suffering, as a direct result of the above-referenced incident.

I look forward to working with you to arrive at an amicable resolution to this claim.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey Flynn".

Jeffrey Flynn
Attorney at Law

JF/khm

Atlanta City Council

Regular Session

CONSENT

PAGES: 1-19

ADOPT

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

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1321
00-R-1322
00-R-1388
00-O-1435

CORRECTED COPY

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1234	41. 00-R-1352	51. 00-R-1357
2. 00-O-1007	42. 00-R-1353	52. 00-R-1358
3. 00-O-1015	43. 00-R-1397	53. 00-R-1359
4. 00-O-1427	44. 00-R-1398	54. 00-R-1360
5. 00-O-1429	45. 00-R-1399	55. 00-R-1362
6. 00-O-1432	46. 00-R-1400	56. 00-R-1363
7. 00-R-1387	47. 00-R-1401	57. 00-R-1364
8. 00-R-1392	48. 00-R-1402	58. 00-R-1365
9. 00-R-1395	49. 00-R-1403	59. 00-R-1366
10. 00-R-1452	50. 00-R-1404	60. 00-R-1367
11. 00-R-1340		61. 00-R-1368
12. 00-R-1323		62. 00-R-1369
13. 00-R-1433		63. 00-R-1370
14. 00-R-0560		64. 00-R-1371
15. 00-R-0561		65. 00-R-1372
16. 00-R-1454		66. 00-R-1373
17. 00-R-1299		67. 00-R-1374
18. 00-R-1308		68. 00-R-1375
19. 00-R-1334		69. 00-R-1376
20. 00-R-1335		70. 00-R-1377
21. 00-R-1338		71. 00-R-1378
22. 00-R-1394		72. 00-R-1379
23. 00-R-1331		73. 00-R-1380
24. 00-R-1330		74. 00-R-1381
25. 00-R-1332		75. 00-R-1382
26. 00-R-1333		76. 00-R-1383
27. 00-R-1337		77. 00-R-1384
28. 00-R-1339		78. 00-R-1385
29. 00-R-1419		79. 00-R-1386
30. 00-R-1426		80. 00-R-1405
31. 00-R-1342		81. 00-R-1406
32. 00-R-1343		82. 00-R-1407
33. 00-R-1344		83. 00-R-1408
34. 00-R-1345		84. 00-R-1409
35. 00-R-1346		85. 00-R-1410
36. 00-R-1347		86. 00-R-1411
37. 00-R-1348		87. 00-R-1412
38. 00-R-1349		88. 00-R-1413
39. 00-R-1350		
40. 00-R-1351		