

00-2-1405

Entered - 04/17/00 - sb  
CL00L0239 - DIANNE C. MITCHELL

CLAIM OF: LISA HORNE,  
through her attorney,  
Sheryl L. Burke  
3340 Peachtree Road, NE  
Suite 1800  
Atlanta, Georgia 30326

For damages alleged to have been sustained  
as a result of a vehicular accident on March  
31, 2000 at Ponce de Leon Avenue and  
Clifton Street.

THIS ADVERSED REPORT IS  
APPROVED

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

*Rosalind Rubens Newell*  
MUNICIPAL CLERK

CERTIFIED  
SEP 18 2000  
ATLANTA CITY CLERK

*Public Safety*  
9/12/00

*Mark [Signature]*

*Donna Bell*

*[Signature]*

ADVERSED BY  
CITY CLERK SEP 18 2000

September 29, 2000

Sheryl L. Burke  
Attorney at Law  
3340 Peachtree Rd., NE  
Suite 1800  
Atlanta, GA 30326

00-R-1405

RE: Lisa Horne

Dear Attorney Burke:

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. 00L0239

Date: August 31, 2000

Claimant /Victim LISA HORNE
BY: (Atty) Sheryl L. Burke
Address: 3340 Peachtree Road, NE, Suite 1800, Atlanta, Georgia 30326
Subrogation: Claim for Property damage \$ not stated Bodily Injury \$ not stated
Date of Notice: 04/17/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/31/00 Place: Ponce de Leon Avenue and Clifton Street
Department Police Division:
Employee involved Craig Cooper Disciplinary Action:

NATURE OF CLAIM: The driver of the City vehicle made an improper left turn and collided with the claimant's vehicle. However, the claimant's attorney has failed to furnish information necessary to substantiate this claim.

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 X 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 X

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 08-31-00
Committee Action: Council Action

Law Office of  
**SHERYL L. BURKE**  
Tower Place  
3340 Peachtree Road, N.E., Suite 1800  
Atlanta, Georgia 30326

*Mitchell*  
*04/21/00*  
*D*

Telephone (404) 814-5257

Facsimile (404) 814-5241

April 13, 2000

City of Atlanta  
Municipal Clerk  
Attn: Sherry Butler  
55 Trinity Avenue S.W.  
Atlanta, GA 30335-0332



ENTERED - 04/26/00 - tew  
00L0239 - DIANNE C. MITCHELL

04-17-00 P05:35 IN

RE:            Date of Loss:            3/31/00  
                  Our Client(s):            Lisa Horne  
                  Your Insured:            Craig Cooper

Dear Ms. Butler:

Please be advised that this office has been retained to represent the legal rights and interest of the above-referenced individual(s) relative to the injuries and damages sustained in an automobile collision on the above date. **Please direct all further correspondence to this office.**

Pursuant to **O.C.G.A. 33-3-38**, we request that you provide our office with the names of each insurance carrier and policy limits for any company which may be liable for our client's injuries including primary, secondary, excess, and umbrella policies. Also, we request that you disclose to us as attorneys for the claimant(s), the name of each known insured who may be liable to the claimant(s) for this claim.

Sincerely,

*Sheryl L. Burke/wep*

Sheryl L. Burke  
Attorney At Law

SLB:lr

**00- -1405**

RCS# 2218  
9/18/00  
2:15 PM

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<br>ON CONSENT<br>AGENDA |               | ITEMS ADVERSED<br>ON CONSENT<br>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                         |               |  |