Entered - 04/26/00 - sb **00- R -1406**
CL00L0236 - DIANNE C. MITCHELL

CLAIM OF: SCHARLIE LOCKHART,
through her attorney,
Kenneth S. Nugent
1355 Peachtree Street
Suite 1000
Atlanta, Georgia 30309

CERTIFIED
SEP 18 2000
ATLANTA CITY COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on December 15, 1999 at 10th Street and Monroe Drive.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell / KEW
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CERTIFIED
MUNICIPAL CLERK

Public Safety
9/12/00
C. T. Martin

ADVERSED BY CITY COUNCIL SEP 18 2000

September 28, 2000

Kenneth S. Nuggent
Attorney at Law
1355 Peachtree Street
Suite 1000
Atlanta, Ga 30309

00-R-1406

RE: Scharlie Lockhart

Dear Attorney Nugent:

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. 00L0236 Date: August 31, 2000

Claimant /Victim SCHARLIE LOCKHART
BY: (Atty) Kenneth S. Nugent
Address: 1355 Peachtree Street, Suite 1000, Atlanta, Georgia 30309
Subrogation: _____ Claim for Property damage $ _____ Bodily Injury $ not stated
Date of Notice: 04/25/00 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/15/99 Place: 10th Street and Monroe Avenue
Department Public Works Division: Waste Water Services
Employee involved Wylie Jordan, Sr. Disciplinary Action: _____

NATURE OF CLAIM: The driver of the City vehicle made an improper right turn and lane change 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 X Diagrams _____ Reports: Police X Dept Report X 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,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

FORM 23-61

Mitchell
04/25/00

KENNETH S. NUGENT, P.C.
ATTORNEYS AT LAW

1355 PEACHTREE STREET
THE PEACHTREE, SUITE 1000
ATLANTA, GEORGIA 30309
(404) 875-0900
FAX (404) 872-7562

KENNETH S. NUGENT
JOHN T. RUFF
WILLIAM D. HOLMAN *
JOHN C. FORBES, JR.
RUSSELL T. DEUTSCHMAN
ADAM W. DEAVER
TERI D. PODUVAL
BARBARA BARNETT CLARIDGE ♦
WENDY A. HEANEY
M. BRIAN CLEMENTS
MICHAEL G. ORR
AHKIBAH KHAN

OFFICES
THROUGHOUT
GEORGIA

* ALSO ADMITTED IN TENNESSEE
♦ ADMITTED IN ALABAMA

ENTERED - 04/26/00 - tew
00L0236 - DIANNE C. MITCHELL

April 17, 2000

VIA CERTIFIED MAIL

City of Atlanta
Ste. 4100,City Hall Tower
68 Mitchell St., S.W.
Atlanta, GA 30335-0332

RE:	Client	: Scharlie Lockhart
	Insured	: City Of Atlanta Public Works
	Drivers Name	: Wylie Jordan
	Date of Accident	: 12/15/1999
	Our File No.	: 216525

Dear Sir or Madam:

Our firm represents Scharlie Lockhart for personal injuries sustained as a result of the referenced accident.

Enclosed, please find a copy of the police report for your file.

Pursuant to O.C.G.A. §33-3-28, please forward to me a copy of all coverage information that may provide liability or med-pay coverage for the above-styled incident. Under the code section you have 60 days to provide an affidavit of coverage or a certified copy of the policy declaration page. Also find enclosed is our Affidavit requesting your policy declaration page.

In addition, please contact our office to discuss the property damage portion of this claim at your earliest convenience.

Sincerely,

Kenneth Nugent
Attorney At Law

SC/sc
Enclose

00- -1406

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 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		