00- R -1413

Entered - 8-9-00- sb
**CL 00L0493**- GWENDOLYN BURNS

CLAIM OF: **CHRISTELL G. MARSHALL**
512 Peachtree Station Circle, Apt. 512
Atlanta, Georgia 30269

For damages alleged to have been sustained as a result of a vehicular accident on July 18, 2000 at 2206 Stone Mountain - Lithonia Road.

THIS ADVERSED REPORT IS APPROVED

BY: _____
ROBERT N. GODFREY
**DEPUTY CITY ATTORNEY**

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

CERTIFIED
SEP 18 2000
ATLANTA CITY COUNCIL

CERTIFIED
SEP 18 2000
MUNICIPAL CLERK

ADVERSED BY CITY COUNCIL SEP 18 2000

September 28, 2000

Christell G. Marshall
512 Peachtree Station Circle
Apartment 512
Atlanta, GA 30269

**00-R-1413**

Dear Mr. Marshall:

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 18, 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. 00L0483 Date: August 30, 2000

Claimant /Victim CHRISTELL G. MARSHALL
BY: (Atty) (Ins. Co.) _____
Address: 512 Peachtree Station Circle, Apt. 512, Peachtree City, Georgia 30269
Subrogation: _____ Claim for Property damage $ 700.00 Bodily Injury $ _____
Date of Notice: 8/8/00 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/18/00 Place: _____
Department PUBLIC WORKS Division SOLID WASTE SERVICES
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when it was struck by a sanitation truck. However, an investigation determined that the street location of claimant's incident falls outside of the City's jurisdiction and is maintained by Dekalb County. Claimant has been advised to file her claim with the County.

**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 _____ Other X 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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: _____ Concur/date 09-01-00
Committee Action: _____ Council Action _____

FORM 23-61

Jordan
11/17/99

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 11-1-99
ENTERED - 11-19-99 - SB
99L0793 - DOBBS JORDAN

0 1999
MUNICIPAL CLERK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of $ 940 53 property and/or $ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 10 26 99 (month/day/ year)
2. Police called: ____ Yes X No
3. Location of incident: Roxburn Rd B/W Peachtree + N. Druid Hills
4. Name of your insurance company: State Farm Policy No. 900-6797 F27 11A
5. State what and how incident occurred: See attached

6. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!**

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: SAAB 9³ (make) 1999 (year) 881 SMK (tag number) JEFF EMRICK (driver's name)

City vehicle: _____ (make) _____ (City driver's name) _____ (department/bureau)

8. Witness: _____ (name) _____ (address) _____ (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign 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 employee(s).

10. This claim should be mailed immediately to the address shown above.

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

[signature]
(claimant's name)

2515 GREEN MEADOW WAY
(address)

CUMMING GA 30041
(city and state)

404-634-1334 x 126 (work number) 770-844-4259 (home number)

fax 4 636-7105

00- -1383

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 | | |