

Entered - 06/12/00 - sb  
CL00L0328 - DIANNE C. MITCHELL

00-R-1759

CLAIM OF: **MR. AND MRS. GUS WEILL,**  
through their attorney,  
Carl H. Hodges  
177 North Main Street  
Jonesboro, Georgia 30236

For damages alleged to have been sustained as a result of a personal injury  
due to a slip and fall in the South Terminal Building at the Atlanta Airport  
on December 12, 1999.

THIS ADVERSED REPORT IS APPROVED

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

**ADVERSE REPORT**

**CONSENT AGENDA**

*Public Safety*

*10/31/00*

ADVERSED BY  
CITY COUNCIL NOV 06 2000

*V-C Clara Henderson*

*Darryl Alford*

*Michael R. ...*

*...*

*Henry Daley*

**CERTIFIED**  
NOV 6 2000  
ATLANTA CITY COUNCIL PRESIDENT  
*Robert A. Pitts*

**CERTIFIED**  
NOV 06 2000  
*Phonch Daughkin Johnson*  
MUNICIPAL CLERK



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

November 15, 2000

Carl H. Hodges  
Attorney at Law  
177 North Main Street  
Jonesboro, GA 30236

00-R-1759

RE: Mr. & Mrs. Gus Weill

Dear Attorney Hodges:

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. 00L0328

Date: October 18, 2000

Claimant /Victim MR. AND MRS. GUS WEILL
BY: (Atty) Carl H. Hodges
Address: 177 North Main Street, Jonesboro, Georgia 30236
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 05/25/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/12/99 Place: South Terminal Building, Atlanta Airport
Department Aviation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant, Mr. Gus Weill, alleges he was injured when he slipped and fell on a foreign substance on the floor in the South Terminal Building at the Airport. This claim has been forwarded to the City's insurance carrier, AIG Aviation, for handling and they have been in contact with the claimants through their attorney.

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 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

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 10-18-00
Committee Action: Council Action

LAW OFFICES  
CARL H. HODGES & ASSOCIATES  
177 North Main Street  
Jonesboro, Georgia 30236  
(770) 473-0072  
Fax (770) 473-0075

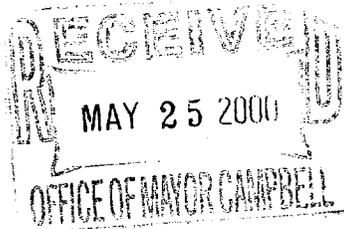
CARL H. HODGES

Mitchell  
05731100  
DK  
MARION K. MCEACHERN  
T. KYLE KING

May 23, 2000

ENTERED - 6-12-00 - SB  
00L0328 - DIANNE MITCHELL

Hon. Bill Campbell  
Mayor, City of Atlanta  
55 Trinity Ave. SW  
Suite 2400  
Atlanta, GA 30335



Mr. Robb Pitts  
President of the City Council  
and to the Members of the City Council  
55 Trinity Ave. SW  
Suite 2900  
Atlanta, GA 30335

Susan Pease Langford, Esq.  
City Attorney  
68 Mitchell Street  
Suite 4100  
Atlanta, GA 30335-0332

Re: ANTE LITEM NOTICE for Mr. and Mrs. Gus Weill.

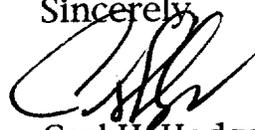
Dear Mayor Campbell, Mr. Pitts and Ms. Langford:

On December 12, 1999 at approximately 1:15 p.m., Mr. Gus Weill was injured as a result of a fall in the South Terminal of the Atlanta Airport. Mr. Weill slipped on a foreign substance on the floor. The substance had not been removed in time to prevent Mr. Weill from slipping and being injured by the fall.

Mr. Weill, a writer, suffered injuries to both of his hands, requiring surgical procedures to attempt to correct the damage caused by the fall. He suffered extensive bruises and contusions preventing him from

working and resulting in loss of income for he and his wife as well as loss of consortium for Mrs. Weill. This notice is sent in compliance with O.C.G.A. § 36-33-5. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Hodges', written over the word 'Sincerely'.

Carl H. Hodges

CHH/ct

00- R -1759

RCS# 2356  
11/06/00  
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
B Starnes  
Y Bond  
Y Winslow

Y Dorsey  
Y 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-R-1422  
00-R-1666

CONSENT

		11/06/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1577	30. 00-R-1716	59. 00-R-1753
2. 00-O-1586	31. 00-R-1724	60. 00-R-1754
3. 00-O-1615	32. 00-R-1725	61. 00-R-1755
4. 00-O-1661	33. 00-R-1727	62. 00-R-1756
5. 00-O-1663	34. 00-R-1728	63. 00-R-1757
6. 00-O-1670	35. 00-R-1729	64. 00-R-1758
7. 00-R-1578	36. 00-R-1730	65. 00-R-1759
8. 00-R-1685	37. 00-R-1731	66. 00-R-1760
9. 00-R-1780	38. 00-R-1732	67. 00-R-1761
10. 00-R-1659	39. 00-R-1733	68. 00-R-1762
11. 00-R-1688	40. 00-R-1734	69. 00-R-1763
12. 00-R-1689	41. 00-R-1735	70. 00-R-1764
13. 00-R-1704	42. 00-R-1736	71. 00-R-1765
14. 00-R-1722	43. 00-R-1737	72. 00-R-1766
15. 00-R-1723	44. 00-R-1738	73. 00-R-1767
16. 00-R-1708	45. 00-R-1739	74. 00-R-1768
17. 00-R-1774	46. 00-R-1740	75. 00-R-1769
18. 00-R-1709	47. 00-R-1741	76. 00-R-1770
19. 00-R-1710	48. 00-R-1742	77. 00-R-1771
20. 00-R-1711	49. 00-R-1743	78. 00-R-1772
21. 00-R-1712	50. 00-R-1744	79. 00-R-1773
22. 00-R-1713	51. 00-R-1745	
23. 00-R-1714	52. 00-R-1746	
24. 00-R-1715	53. 00-R-1747	
25. 00-R-1717	54. 00-R-1748	
26. 00-R-1718	55. 00-R-1749	
27. 00-R-1719	56. 00-R-1750	
28. 00-R-1720	57. 00-R-1751	
29. 00-R-1721	58. 00-R-1752	