

Entered - 11/20/00 - sb
CL00L0703 - DIANNE C. MITCHELL

00- R -2027

CLAIM OF: **DEBORAH BROWN**,
through her attorney,
Melanie Webre
3475 Lenox Road, NE
Suite 980
Atlanta, Georgia 30326

For damages alleged to have been sustained as a result of personal injuries due to falling sheet rock on September 29, 2000 at 600 Martin Street, Apt. C-2.

THIS ADVERSED REPORT IS APPROVED

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

Public Safety
12/12/00
C. T. Martin
Donny Shih
Cela Peterson
Michael Bond

CERTIFIED
JAN 2 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert A. Parker

CERTIFIED
JAN 09 2001
Renee Daughlin 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

January 8, 2001

Melanie Webre
Attorney at Law
3475 Lenox Road, NE
Suite 980
Atlanta, GA 30326

00-R-2027

RE: Deborah Brown

Dear Attorney Webre:

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 2, 2001. 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. 00L0703

Date: November 27, 2000

Claimant /Victim DEBORAH BROWN
BY: (Atty) Melanie Webre
Address: 3475 Lenox Road, NE, Suite 980, Atlanta, Georgia 30326
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 11/03/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 09/29/00 Place: 600 Martin Street, Apt. C-2
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when sheet rock fell from the ceiling and struck her at the above location. The investigation determined that this property is owned by 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,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Handwritten signature] Concur/date 11-30-00
Committee Action: Council Action

FORM 23-61

00-R-2027

RCS# 2499
1/02/01
2:34 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-13

ADOPT

YEAS: 13/14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1944
00-R-2059

CONSENT

		01/02/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1107	41. 00-R-2023	44. 00-R-2026
2. 00-O-2068	42. 00-R-2024	45. 00-R-2027
3. 00-O-1866	43. 00-R-2025	46. 00-R-2028
4. 00-O-1888		47. 00-R-2029
5. 00-O-1876		48. 00-R-2030
6. 00-O-1884		49. 00-R-2031
7. 00-O-1889		50. 00-R-2032
8. 00-O-2053		51. 00-R-2033
9. 00-O-2063		52. 00-R-2034
10. 00-O-2076		53. 00-R-2035
11. 00-O-1564		
12. 00-O-2014		
13. 00-O-2061		
14. 00-R-1226		
15. 00-R-1954		
16. 00-R-2036		
17. 00-R-2037		
18. 00-R-2038		
19. 00-R-2058		
20. 00-R-2060		
21. 00-R-2091		
22. 00-R-2045		
23. 00-R-1459		
24. 00-R-2048		
25. 00-R-2049		
26. 00-R-2050		
27. 00-R-2077		
28. 00-R-2102		
29. 00-R-2046		
30. 00-R-2047		
31. 00-R-2093		
32. 00-R-2094		
33. 00-R-2095		
34. 00-R-2096		
35. 00-R-2097		
36. 00-R-2018		
37. 00-R-2019		
38. 00-R-2020		
39. 00-R-2021		
40. 00-R-2022		