

Entered -11-14-00 - sb
CL 00L0692 - GWENDOLYN BURNS

00- R-2029

CLAIM OF: **FULTON COUNTY GOVERNMENT**
through its attorney,
Willie J. Lovett, Jr.
141 Pryor Street, SW, Suite 4038
Atlanta, Georgia 30303

For damages alleged to have been sustained as a result of
overpayment of water fees from 1984 to present in unincorporated
Fulton County.

THIS ADVERSED REPORT IS
APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVISED REPORT

cc: Public Safety

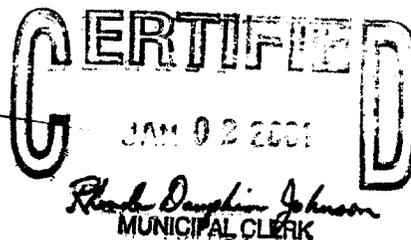
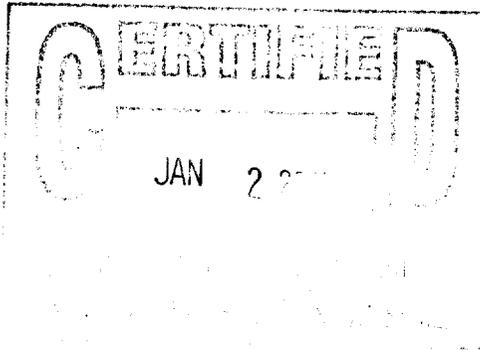
12/12/00

C. T. Martin

Donna Spivey

Clay Henslow

Markus Ross





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

Willie J. Lovett, Jr.
Attorney at Law
141 Pryor St., SW
Suite 4038
Atlanta, GA 30303

00-R-2029

RE: Fulton County Government

Dear Attorney Lovett:

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. 00L0692

Date: November 30, 2000

Claimant /Victim FULTON COUNTY GOVERNMENT

BY: (Atty) (Ins. Co.) Willie J. Lovett, Jr.

Address: 141 Pryor Street, SW, Suite 4038, Atlanta, Georgia 30303

Subrogation: Claim for Property damage \$ 200,000.00 Bodily Injury \$

Date of Notice: 11/14/00 Method: Written, Proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 1984 to present Place: Unincorporated Fulton County

Department WATER Division

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that is has been unfairly overcharged for water services. The issues by the claimant are currently being litigated in the Superior Court of Fulton County. (Duplicate claim - See claim #00L0154.)

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 X

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 11-30-00

Committee Action: Council Action

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 2. 00-O-2068 3. 00-O-1866 4. 00-O-1888 5. 00-O-1876 6. 00-O-1884 7. 00-O-1889 8. 00-O-2053 9. 00-O-2063 10. 00-O-2076 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	41. 00-R-2023 42. 00-R-2024 43. 00-R-2025	44. 00-R-2026 45. 00-R-2027 46. 00-R-2028 47. 00-R-2029 48. 00-R-2030 49. 00-R-2031 50. 00-R-2032 51. 00-R-2033 52. 00-R-2034 53. 00-R-2035