

Entered - 05/19/00 - sb  
CL00L0320 - DIANNE C. MITCHELL

01-R-0012

CLAIM OF: JANETTA THOMPSON, individually and as  
Administratrix and natural mother of KENIKO  
TREMONTE WILLIS, deceased,  
through her attorney,  
John C. Dabney, Jr.  
Suite 2100  
100 Peachtree Street, NW  
Atlanta, Georgia 30303-1912

For damages alleged to have been sustained as a result of a  
vehicular accident on November 25, 1999 at Perry Boulevard near  
Habershaw Drive.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

# ADVERSE REPORT

COM. P. G. L. A.

DATE 1/16/01

CHM. C. T. Martin

[Signature]

[Signature]

[Signature]

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ADVERSED BY  
CITY COUNCIL JAN 16 2001



**CITY OF ATLANTA  
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 25, 2000

John C. Debney, Jr.  
Attorney at Law  
100 Peachtree St., NW  
Suite 2100  
Atlanta, GA 30303-1912

**01-R-0012**

**RE:** Janetta Thompson, ind. and as Administratrix and  
natural mother of Kenio Tremonte Willis, deceased

Dear Attorney Dabney:

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 16, 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. 00L0320

Date: December 28, 2000

Claimant /Victim JANETTA L. THOMPSON, individually, and as Administratrix and natural mother of KENIKO TREMONTE WILLIS, deceased

BY: (Atty) John C. Dabney, Jr.

Address: Suite 2100, 100 Peachtree Street, NW, Atlanta, Georgia 30303-1912

Subrogation: Claim for Property damage \$ Bodily Injury \$ 1,150,000.00

Date of Notice: 05/19/00 Method: Written, proper X Improper         

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

Date of Occurrence 11/25/99 Place: Perry Boulevard near Habershaw Drive

Department: Public Works Division: Sewer Operations

Employee involved          Disciplinary Action:         

NATURE OF CLAIM: The claimant alleges that due to standing water in the roadway, the vehicle she was driving hydroplaned, left the roadway and collided with two trees. The claimant was injured and her child was killed as the result of this accident. The claimant alleges that the City was negligent in its failure to keep the roadways safe, however, the City had no notice of any problems in the area prior to the claimant's accident.

INVESTIGATION:

Statements: City employee          Claimant          Others          Written          Oral         

Pictures          Diagrams          Reports: Police X Dept Report X 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,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$          Adverse X Account charged: 1A01          2J01          2H01         

Claims Manager: [Signature] Concur/date 12-28-00

Committee Action:          Council Action

