





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

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January 26, 2001

Arthur T. Huntley, Jr.  
4565 Heather Court, SW  
Atlanta, GA 30331

01-R-0024

Dear Mr. Huntley :

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 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.**

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0573

Date: December 27, 2000

Claimant /Victim ARTHUR T. HUNTLEY, JR.

BY: (Atty)(Ins. Co.)

Address: 4565 Heather Court, SW, Atlanta, Georgia 30331

Subrogation: Claim for Property damage \$ 3,589.33 Bodily Injury \$

Date of Notice: 09/18/00 Method: Written, proper X Improper

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

Date of Occurrence 09/05/00 Place: Peachtree Street and 6th Street

Department: Police Division:

Employee involved Dwayne R. Sutton Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way and collided with the claimant's vehicle causing damages in the above amount. However, the claimant has elected to receive payment for his damages through his insurance carrier.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X 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 Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. X Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
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

RCS# 2563  
1/16/01  
4:18 PM

Atlanta City Council

Regular Session

*Claims*

MULTIPLE

Unfavorable Items 9-33

01-R-0012	01-R-0023	ADOPT	
01-R-0013	01-R-0024		
01-R-0014	01-R-0025	YEAS:	13
01-R-0015	01-R-0026	NAYS:	0
01-R-0016	01-R-0027	ABSTENTIONS:	0
01-R-0017	01-R-0044	NOT VOTING:	3
01-R-0018	01-R-0045	EXCUSED:	0
01-R-0019	01-R-0047	ABSENT	0
01-R-0020	01-R-0048		
01-R-0021	01-R-0049		
01-R-0022	01-R-0050		
	01-R-0051		
		01-R-0052	

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

MULTIPLE