

Entered -10-9-00 - sb  
CL 00L0612 - GWENDOLYN BURNS

01-R -0133

CLAIM OF:

**JANE A. STRUK**  
3541 Normandy Circle, NE  
Marietta, Georgia 30062

For vehicular damages alleged to have been sustained as a result of an automobile accident on September 5, 2000 at 2170 Piedmont Road, NE

THIS ADVERSED REPORT IS APPROVED

BY:   
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

ADVERSE REPORT  
COM. *Public Safety*  
DATE *1-30-01*  
*[Handwritten notes and signatures]*

**CERTIFIED**  
FEB 05 2001  
ATLANTA CITY COUNCIL PRESIDENT  
*Ronald R. Pitts*

**CERTIFIED**  
FEB 05 2001  
*Ronda Dandrea Johnson*  
MUNICIPAL CLERK

ADVERSED BY  
CITY COUNCIL  
FEB 05 2001



## 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

February 15, 2001

Jane A. Struk  
3541 Normandy Cir., NE  
Marietta, GA 30062

01-R-0133

Dear Ms. Struk:

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 February 05, 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. 00L0612

Date: January 19, 2001

Claimant /Victim JANE A. STRUK

BY: (Atty) (Ins. Co.)

Address: 3541 Normandy Circle, NE, Marietta, Georgia 30062

Subrogation: Claim for Property damage \$ 5,182.57 Bodily Injury \$

Date of Notice: 9/19/00 Method: Written, Proper X Improper

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

Date of Occurrence 9/5/00 Place: 2170 Piedmont Road, NE

Department PARK, RECREATION & CULTURAL AFFAIRS Division Parks

Employee involved Marvin Shannon Disciplinary Action:

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was rear-ended by a City vehicle. However, this claim will be settled through claimant's insurance company's subrogation claim against the City. (See claim #01L0018)

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. 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 01/19/01

Committee Action: Council Action

RCS# 2577  
2/05/01  
2:28 PM



Atlanta City Council

Regular Session

CONSENT

Pages: 1-14

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 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	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-2069  
01-O-0083  
01-R-0074  
01-R-0092  
01-R-0093

CONSENT

ITEMS ADOPTED ON CONSENT  
AGENDA

ITEMS ADVERSED  
ON CONSENT AGENDA

1. 00-O-1856
2. 01-O-0091
3. 01-O-0094
4. 01-O-0065
5. 01-O-0090
6. 01-O-0097
7. 01-O-0109
8. 00-R-2105
9. 01-R-0078
10. 01-R-0153
11. 01-R-0102
12. 00-R-0729
13. 01-R-0071
14. 01-R-0077
15. 01-R-0114
16. 01-R-0115
17. 01-R-0116
18. 01-R-0117
19. 01-R-0118
20. 01-R-0145
21. 01-R-0149
22. 01-R-0073
23. 01-R-0101
24. 01-R-0147
25. 01-R-0119
26. 01-R-0120
27. 01-R-0122
28. 01-R-0123
29. 01-R-0124
30. 01-R-0125
31. 01-R-0126
32. 01-R-0127
33. 01-R-0128
34. 01-R-0129
35. 01-R-0130
36. 01-R-0146

37. 01-R-0131
  38. 01-R-0132
  39. 01-R-0133
  40. 01-R-0134
  41. 01-R-0135
  42. 01-R-0136
  43. 01-R-0137
  44. 01-R-0138
  45. 01-R-0139
  46. 01-R-0140
  47. 01-R-0141
  48. 01-R-0142
  49. 01-R-0143
  50. 01-R-0144
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