

01-R-0166

Entered - 08/31/00 - sb  
CL00L0525 - DIANNE C. MITCHELL

CLAIM OF: **KERRY GEORGE FAIR,**  
through his attorney,  
**Joseph M. Todd**  
**104 South Main Street**  
**Jonesboro, Georgia 30236**

For damages alleged to have been sustained as a result of a vehicular accident on March 10, 2000 at 1795 Metropolitan Parkway, SW.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **KERRY GEORGE FAIR, through his attorney, Joseph M. Todd** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on March 10, 2000 at 1795 Metropolitan Parkway, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADOPTED BY  
FEB 19 2001  
COUNCIL

FAVORABLE REPORT

COM. Public Safety

DATE 9-13-01

BY G. T. Martin

[Signature]

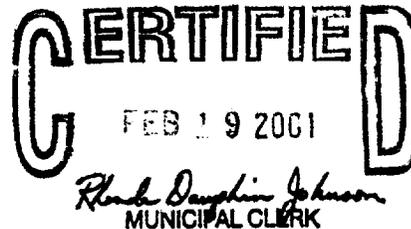
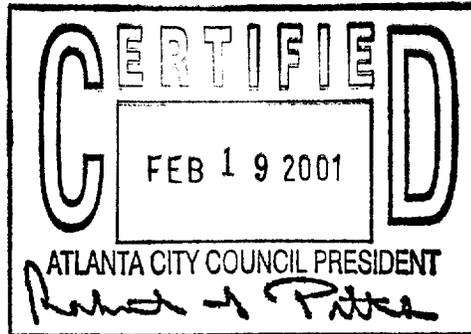
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WITHOUT SIGNATURE  
BY OPERATION OF LAW

FEB 28 2001

APPROVED



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**01-R-0166**

**A RESOLUTION**

**BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Kerry George Fair, through his attorney, Joseph M. Todd** in the sum of **\$1000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a vehicular accident on **March 10, 2000 at 1795 Metropolitan Parkway, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED** by the Council  
**RETURNED WITHOUT SIGNATURE OF THE MAYOR**  
**APPROVED** as per City Charter Section 2-403

FEB 19, 2001

FEB 28, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0525

Date: January 31, 2001

Claimant /Victim KERRY GEORGE FAIR
BY: (Atty) Joseph M. Todd
Address: 104 South Main Street, Jonesboro, Georgia 30236
Subrogation: Claim for Property damage \$ Bodily Injury \$ 25,000.00
Date of Notice: 09/01/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/10/00 Place: 1795 Metropolitan Parkway
Department Police Division:
Employee involved Adam T. Kuhner Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle lost control of same while attempting to avoid a collision with a vehicle that had stopped, blocking the lane in which he was traveling. The City driver made an evasive maneuver to avoid that collision, but lost control of the City vehicle and ran head-on into the claimant's vehicle and then struck a third vehicle. The claimant suffered severe injuries as a result of this collision.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X 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 X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: [Signature] Concur/date 01-31-01
Committee Action: Council Action



RCS# 2621  
2/19/01  
3:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru 13

SEE ATTACHED LISTING OF ITEMS  
ADOPTED/ADVERSED ON  
CONSENT AGENDA

ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y 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	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0223  
01-R-0184

CONSENT

**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 00-O-1619
2. 00-O-2073
3. 01-O-0112
4. 01-O-0069
5. 01-O-0072
6. 01-O-0211
7. 01-O-0213
8. 01-O-0121
9. 01-O-0151
10. 01-O-0098
11. 01-O-0075
12. 01-R-0226
13. 01-R-0191
14. 01-R-0192
15. 01-R-0076
16. 01-R-0194
17. 01-R-0215
18. 01-R-0167
19. 01-R-0198
20. 01-R-0208
21. 01-R-0246
22. 01-R-0070
23. 01-R-0182
24. 01-R-0183
25. 01-R-0158
26. 01-R-0159
27. 01-R-0160
28. 01-R-0161
29. 01-R-0162
30. 01-R-0163
31. 01-R-0164
32. 01-R-0165
33. 01-R-0166

**ITEMS ADVERSED  
ON CONSENT AGENDA**

34. 01-R-0169
  35. 01-R-0170
  36. 01-R-0171
  37. 01-R-0172
  38. 01-R-0173
  39. 01-R-0174
  40. 01-R-0175
  41. 01-R-0176
  42. 01-R-0177
  43. 01-R-0195
  44. 01-R-0196
  45. 01-R-0197
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