

Entered - 09/22/00 - sb
CL00L0580 - DIANNE C. MITCHELL

CLAIM OF: **SWHANNA GASTON,**
through her attorney,
Jonathan E. Sureck
P. O. Box 54783
Atlanta, Georgia 30308

01- R -0267

For damages alleged to have been sustained as a result of a vehicular accident on September 1, 2000 at 1300 Arkwright Place.

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 **SWHANNA GASTON, through her attorney, Jonathan E. Sureck** the sum of **\$2,000.00** 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 September 1, 2000 at 1300 Arkwright Place 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 *Robert M. Gey DCA*

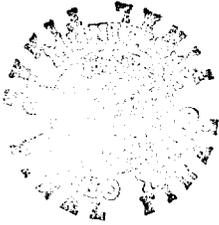
ADOPTED BY
MAR 05 2001
COUNCIL

CERTIFIED
MAR 05 2001
Rosalind Rubens Newell
MUNICIPAL CLERK

COM. P.S. & L.A.
DATE 2/27/01
CHM. C. T. Murton
Michael R. ...
Derry ...
Cela ...

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert M. Gey

APPROVED
MAR 14 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

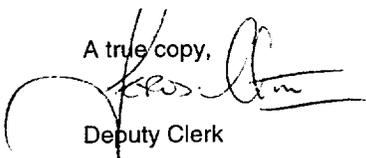
01-R-0267

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 **Swhanna Gaston, through her attorney Jonathan E. Sureck** in the sum of **\$2,000.00** 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 September 1, 2000 at 1300 Arkwright Place** 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,


Deputy Clerk

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

March 5, 2001

March 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0580

Date: February 13, 2001

Claimant /Victim SWHANNA GASTON

BY: (Atty)(Ins. Co.) Jonathan E. Sureck

Address: P. O. Box 54783, Atlanta, Georgia 30308

Subrogation: Claim for Property damage \$ Bodily Injury \$ 2,000.00

Date of Notice: 09/19/00 Method: Written, proper X Improper

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

Date of Occurrence 09/01/00 Place: 1300 Arkwright Place

Department Police Division:

Employee involved J. L. Smith Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The driver of the City vehicle backed into the vehicle in which the claimant was riding causing her to be injured in the above amount.

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 X

City not involved Offer rejected Compromise settlement

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

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager:  Concur/date 02-13-01

Committee Action: Council Action

JONATHAN E. SURECK

Attorney at Law

Mitchell
09/19/00
P.O. Box 54783
Atlanta, Georgia 30308

404-876-5851
404-873-4905 FAX

September 14, 2000

City of Atlanta
Bill Campbell Mayor
55 Trinity Ave.
Suite 2400
Atlanta, Georgia 30335

ENTERED - 9-22-00 - SB
00L0580 - DIANNE MITCHELL

Re: Dorothy & Swhanna Gaston and Marian Hamilton
vs.
J.L. Smith and City of Atlanta

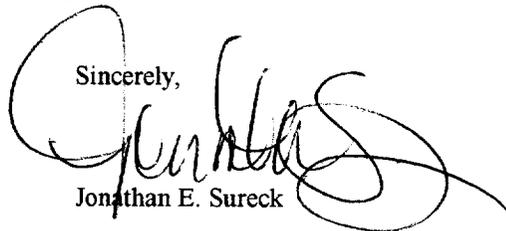
Dear Honorable Campbell:

The purpose of this letter is to provide you with formal notice that a lawsuit for damage will be instituted in the near future against the city of Atlanta by the above clients arising from an automobile incident which occurred on August 8, 2000, on 1300 Arkwright Place in Atlanta, Georgia. The incident involved our clients, wherein J.L. Smith, driving a 1999 Ford Crown Victoria owned by the City of Atlanta improperly backed into our clients.

As provided by law, please advise this office as to the name of your insurance carrier. We are currently investigation our clients claims and damages and after a complete investigation, we will be in touch with you for the purpose of submitting a settlement package.

Under Georgia Law you will have to be served with a copy of the lawsuit as mayor/representative of the city of Atlanta . See .O.C.G.A. Section 36-1-5. Please consider this letter the official required notice of my clients against the city of Atlanta as required by O.C.G.A. Section 36-11-1.

Sincerely,



Jonathan E. Sureck

JES/ly

01- R -0267

RCS# 2689
3/05/01
6:36 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru. 13

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM CONSENT AGENDA 01-O-0240 01-R-0307 01-R-0346
Y Starnes	Y Woolard	NV Martin	Y Emmons	
Y Bond	Y Morris	B Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 01-O-0179
2. 01-O-0348
3. 00-O-1657
4. 01-O-0355
5. 01-O-0152
6. 01-R-0190
7. 01-R-0349
8. 01-R-0351
9. 01-R-0290
10. 01-R-0304
11. 01-R-0305
12. 01-R-0369
13. 01-R-0370
14. 01-R-0297
15. 01-R-0300
16. 01-R-0298
17. 01-R-0299
18. 01-R-0251
19. 01-R-0252
20. 01-R-0253
21. 01-R-0254
22. 01-R-0255
23. 01-R-0256
24. 01-R-0257
25. 01-R-0258
26. 01-R-0259
27. 01-R-0260
28. 01-R-0261
29. 01-R-0262
30. 01-R-0263
31. 01-R-0264
32. 01-R-0265
33. 01-R-0266
34. 01-R-0267
35. 01-R-0268
36. 01-R-0269
37. 01-R-0291
38. 01-R-0292

39. 01-R-0270
 40. 01-R-0271
 41. 01-R-0272
 42. 01-R-0273
 43. 01-R-0274
 44. 01-R-0275
 45. 01-R-0276
 46. 01-R-0277
 47. 01-R-0278
 48. 01-R-0279
 49. 01-R-0280
 50. 01-R-0281
 51. 01-R-0282
 52. 01-R-0283
 53. 01-R-0284
 54. 01-R-0285
 55. 01-R-0286
 56. 01-R-0287
 57. 01-R-0288
 58. 01-R-0289
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