Entered - 09/22/00 - sb
CL00L0579 - DIANNE C. MITCHELL

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

01- R -0268

ADOPTED BY
MAR 05 2001
COUNCIL

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:

CERTIFIED
MAR 05 2001
MUNICIPAL CLERK

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 **DOROTHY 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 by
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY
Robert N. Cg DCA

FAVORABLE
COM. P.S. LA
DATE 2/27/01
CHM. C. T. Martin
Michael Paris
Doug Stephens
Cleta Winston

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert J. Potter

APPROVED
MAR 14 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW

MUNICIPAL CLERK
ATLANTA, GEORGIA

01-R-0268

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 **Dorothy 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 March 5, 2001
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 March 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **00L0579** Date: February 13, 2001

Claimant /Victim **DOROTHY 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 _____

FORM 23-61

Mitchell
09/19/00

JONATHAN E. SURECK

Attorney at Law

404-876-5851
404-873-4905 FAX

P.O. Box 54783
Atlanta, Georgia 30308

September 14, 2000

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

ENTERED - 9-22-00 - SB
00L0579 - 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 -0268

01-R-0268

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
Y Starnes	Y Woolard	NV Martin	Y Emmons
Y Bond	Y Morris	B Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM CONSENT AGENDA
01-O-0240
01-R-0307
01-R-0346

CONSENT

ITEMS ADOPTED 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

ITEMS ADVERSED ON CONSENT AGENDA

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