

Entered - 9-14-99 - sb
CL99L0579 - ALEXIS HOLMES

CLAIM OF: **WILLIE M. COVERSON**
Through her Attorney
Bruce A. Hagen
230 Peachtree Street, NW
Suite 2660
Atlanta, Georgia 30303

01- R-0272

For injuries allegedly sustained as a result of tripping over a brick tree border on July 21, 1999 at the corner of Broad and Alabama Streets.

THIS ADVERSE REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY *Robert A. [Signature]*

CONFERENCE MAR 05 2001

ADVERSE REPORT
COM. P.S. LA
DATE 2/27/01
CHM. C. T. [Signature]
[Signature]
[Signature]
[Signature]

CERTIFIED
MAR 05 2001
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 05 2001
Rhonda Daughin Johnson
MUNICIPAL CLERK



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

March 14, 2001

Bruce A. Hagen
Attorney at Law
230 Peachtree St., NW
Suite 2660
Atlanta, GA 30303

01-R-0272

RE: Willie M. Coverson

Dear Attorney Hagen:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's claim at its regular meeting on March 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.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0579

Date: 2/9/01

Claimant /Victim WILLIE M. COVERSON
BY: (Atty) Bruce A. Hagen
Address: 230 Peachtree Street, NW, Suite 2660 Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ Unknown
Date of Notice: 8/23/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/21/99 Place: The corner of Broad and Alabama Streets
Department Public Works Division: Street Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained injuries when she tripped over a brick tree border when she was boarding the bus. After an investigation it has been determined that the City is not liable for the area in question, and it is the responsibility of Metropolitan Atlanta Rapid Transit Authority (MARTA). The claimant has been advised to pursue her claims through MARTA.

INVESTIGATION:

Statements: City employee Claimant Other X Written Oral
Pictures X Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 02-12-01
Committee Action: Council Action

08-23-99P05:07 RCVD

Jordan
09/07/99
DM

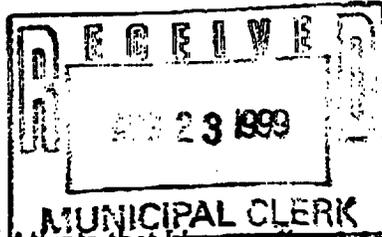
COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 8-16-99

ENTERED - 9-14-99 - SB
99L0579 - DOBBS JORDAN



Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

- 1. Date of incident: 7 21 99
(month/day/year)
- 2. Police called: Yes No
- 3. Location of incident: Corner of Broad & Alabama St near bus stop
- 4. Name of your insurance company: Kaiser Permanente Policy No. 0466888
- 5. State what and how incident occurred: I was getting ready to board the bus. At the stop was a tree in a brick border, my foot slipped on the border and I fell in breaking a bone in my ^{right} foot ^{and} injuring my left knee. I have been off work since the accident.
- 6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
 (make) (year) (tag number) (driver's name)

City vehicle: _____
 (make) (City driver's name) (department/bureau)

8. Witness: _____
 (name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Willie M. Coverson
(claimant's name)

2855 Harper Valley Dr.
(address)

College Park Ga. 30349
(city and state)

NDH-616-4065 770-994-5949
(work number) (home number)



CITY OF ATLANTA

68 MITCHELL ST, SW, ATLANTA, GEORGIA 30335-0324
SUITE 4700, CITY HALL - SOUTH
(404) 330-6240
FAX (404) 658-7552
email: publicworks@atlanta.org

DEPARTMENT OF PUBLIC WORKS
Norman A. Koplun, P.E.
Interim Commissioner
David W. Peters, P.E.
Acting Deputy Commissioner

BILL CAMPBELL
MAYOR

MEMO

To: Richard Franklin
Sylvester Richards
John Krueger
Sandy Jennings
Cedric Maddox
Lance Clark
Betty Harris
Herbert Holmes

From: John W. Griffin, Jr. *JWG*

Subject: Claim No. 9960579

Date: October 13, 1999

Please review the attached claim from the Department of Law and forward an immediate response to Dobbs Jordan as requested. You should respond that you or members of your staff either have knowledge of the defect or do not have knowledge of the defect described. This information is required to assist Mr. Dobbs in the handling of this claim. Additionally, I am requesting that the Public Services Division inspect this location and take any required corrective actions, if necessary.

Thank you in advance for your cooperation with this matter. Please do not hesitate to call Mr. Jordan if you should have any questions.

Attachments

xc: Norman A. Koplun, P.E.
David W. Peters, P.E.
Dobbs Jordan

01- R -0272

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**

**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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