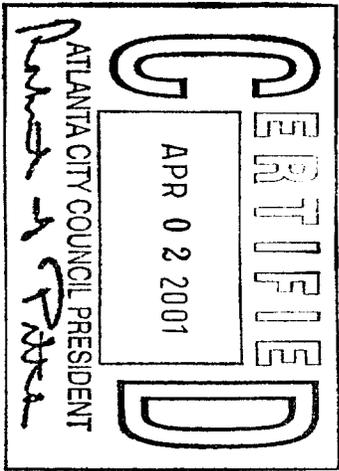


Entered - 02/20/01 - sb
CL 01L0130 - GWENDOLYN BURNS

CLAIM OF: NATIONAL MUTUAL INSURANCE CO.
as subrogee of WALTER JOHNSON
4500 North Point Parkway
Alpharetta, Georgia 30022

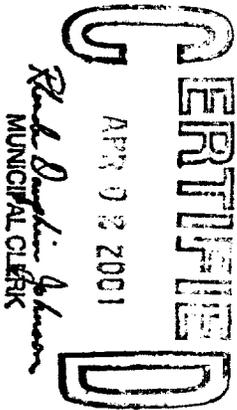
01-R-0515

For vehicular damages alleged to have been sustained as a result of a automobile accident on January 13, 2001 at Renaissance Parkway and Courtland Street, NE.



THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell by Robert R. [unclear] DCA
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED BY
CITY COUNCIL APR 02 2001

ADVERSE REPORT

COMM. P. S. L.A.

DATE 3/27/01

✓ COMM. Clayton Anderson
Sherry Sasser
Michael [unclear]
[unclear]
[unclear]



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

April 18, 2001

National Mutual Insurance Co.
as subrogee of Walter Johnson
Attn: Stanford Casey
4500 North point Parkway
Alpharetta, GA 30022

01-R-0515

Dear Mr. Casey:

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 April 02, 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. 01L0130

Date: March 15, 2001

Claimant /Victim WALTER JOHNSON
BY: (Atty) (Ins. Co.) Nationwide Mutual Insurance Company
Address: 4500 North Point Parkway, Alpharetta, Georgia 30022
Subrogation: X Claim for Property damage \$ Unspecified Bodily Injury \$
Date of Notice: 2/20/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/13/01 Place: Courtland Street & Renaissance Parkway
Department PUBLIC WORKS Division Traffic and Transportation Services
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained vehicular damage from an automobile accident that occurred as a result of a missing stop sign. However, an investigation determined that the City did not have prior notice of a missing stop sign or any other traffic problems at this location prior to the date of Claimant's incident. Furthermore, the operation and maintenance of street signs, markings and traffic control devices are governmental functions and the City is protected by sovereign immunity as set forth in O.C.G.A §36-33-1.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X 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 X 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 13-16-01
Committee Action: Council Action

4500 North Point Pkwy. * Alpharetta Office * Alpharetta, GA 30022

BURNS

02/20/01



February 15,

2001
City Of Atlanta Law Dept
55 Trinity Ave SW
Atlanta, GA 30335-0332

ENTERED - 2-20-01 - SB
01L0130 - GWEN BURNS

YOUR INSURED : Walter Johnson
YOUR INSURED'S ADDRESS :
City of Atlanta

YOUR POLICY NUMBER :
ACCIDENT LOCATION : COURTLAND/RENIASSANCE ATLANTA 30308FULTON
DATE OF ACCIDENT : 01-13-2001
OUR INSURED : Walter Johnson
OUR CLAIM NUMBER : 58 37 D 127946 01132001 01

This letter is a notification of subrogation regarding the above-captioned accident between Walter Johnson and Econuel Ingram. It has been determined that the cause of this accident was a missing stop sign at the above ref. accident location. Our subrogation dept. will contact you with the details of the accident and damages incurred.

NATIONWIDE MUTUAL INSURANCE COMPANY
Santford Casey
Claims Department
(770)667-6654 Ext. 6654

01-R-0515

RCS# 2775
4/02/01
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 13

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Unanimous

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0345
01-O-0526
01-R-0541

CONSENT

04/02/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-0225
2. 01-O-0534
3. 01-O-0528
4. 01-O-0539
5. 01-O-0530
6. 01-O-0531
7. 01-R-0527
8. 99-R-2071
9. 01-R-0368
10. 01-R-0481
11. 01-R-0536
12. 01-R-0537
13. 01-R-0550
14. 01-R-0484
15. 01-R-0485
16. 01-R-0486
17. 01-R-0487
18. 01-R-0293
19. 01-R-0425
20. 01-R-0457
21. 01-R-0418
22. 01-R-0483
23. 01-R-0549
24. 01-R-0500
25. 01-R-0501
26. 01-R-0502
27. 01-R-0503
28. 01-R-0504
29. 01-R-0505
30. 01-R-0506
31. 01-R-0507
32. 01-R-0508

**ITEMS ADVERSED
ON CONSENT AGENDA**

33. 01-R-0509
 34. 01-R-0510
 35. 01-R-0511
 36. 01-R-0512
 37. 01-R-0513
 38. 01-R-0514
 39. 01-R-0515
 40. 01-R-0516
 41. 01-R-0517
 42. 01-R-0518
 43. 01-R-0519
 44. 01-R-0520
 45. 01-R-0521
 46. 00-R-1361
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