

Entered - 09/17/00 - sb
CL 00L0575 - DIANNE C. MITCHELL

CLAIM OF: KIAWANA ELLIS,
through her attorney,
Daniel S. Zevin
Suite 2275
230 Peachtree Street, NW
Atlanta, Georgia 30303

01-*R*-0678

CONSENT AGENDA

For damages alleged to have been sustained as a result of a vehicular accident on August 22, 2000 at 878 Hollywood Road.

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 KIAWANA ELLIS, through her attorney, Daniel S. Zevin the sum of \$2,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a vehicular accident on August 22, 2000 at 878 Hollywood Road 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

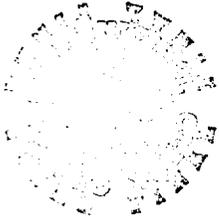
BY: *Rosalind Rubens Newell* by *Robert J. Gray DCA*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY
MAY 2 1 2001
COUNCIL

CERTIFIED
MAY 2 1 2001
Rosalind Rubens Newell
MUNICIPAL CLERK

CERTIFIED
MAY 2 1 2001
Markham
COUNCIL PRESIDENT PROTEM

APPROVED
MAY 3 0 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0678

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 **Kiawana Ellis, through her attorney, Daniel S. Zevin** 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 August 22, 2000 at 878 Hollywood Road** 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

MAY 21, 2001

MAY 30, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0575

Date: May 1, 2001

Claimant /Victim KIAWANA ELLIS
BY: (Atty) Daniel S. Zevin
Address: Suite 2275, 230 Peachtree Street, SW, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ 2,180.00
Date of Notice: 09/15/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 08/22/00 Place: 878 Hollywood Road
Department PRCA Division:
Employee involved Jerry Lee Harper Disciplinary Action: Written Reprimand

NATURE OF CLAIM: The driver of the City vehicle rear ended the vehicle in which the claimant was riding causing personal injuries in the above amount.

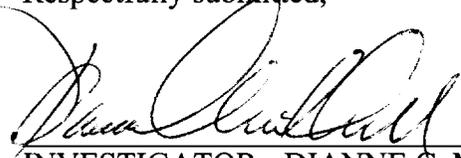
INVESTIGATION:

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


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Dianne C. Mitchell Concur/date 05-02-01
Committee Action: Council Action



ZEVIN & ROSENBLIUM, P.C.

ATTORNEYS AT LAW
SUITE 2275
230 PEACHTREE STREET, N.W.
ATLANTA, GEORGIA 30303
(404) 522-1616 • FAX (404) 522-5044
TOLL FREE (888) 522-1622

M. Mitchell
09/15/00
DM

DANIEL S. ZEVIN
MICHAEL D. ROSENBLIUM

HOWARD L. STOECK
Of counsel

September 11, 2000

Certified Mail No.: Z 231 648 577

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

ENTERED - 9-17-00 - SB
00LO575 - DIANNE MITCHELL

RE: Our Clients: Latisha Arnold and Kiawana Ellis
Our File No.: 0491-00-8-22
Your Driver: Jerry Lee Harper, Parks and Recreation
Accident Date: August 22, 2000

Dear Mayor Campbell:

This letter is to advise your company that I have been retained by the above named client for representation in a cause of action arising from injuries and damages sustained in the above referenced collision. I have enclosed a copy of the police report for your review. By notice of this certified letter, I am requesting that you direct all correspondences concerning this claim to my office and not contact my client.

The only exception to contacting my client would be pursuant to the damages to their vehicle. You may contact the owner directly regarding the property damage portion of the claim.

If there was no insurance coverage effective on the vehicle involved in this collision, I request that you advise my office in writing. If coverage was current and in force at the time of the collision, please provide a copy of the policy and coverages pursuant to O.C.G.A. 33-3-28, affidavit attached. Thank you for your prompt response and if you have any questions, please feel free to call.

Very Truly Yours,

Daniel S. Zevin
Daniel S. Zevin for
ZEVIN & ROSENBLIUM, P.C.

DSZ/jc

enclosure

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0575

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND NO/100
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Terry Lee Harper, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 22nd day of August, 2000

at or near 878 Hollywood Road, NW

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 13 day of April, 2000.

Kiawana ELLIS (LS)
KIAWANA ELLIS

Daniel S. Zevin (LS)
DANIEL S. ZEVIN, ATTORNEY AT LAW

The above release was read and explained to, and signed by the said Kiawana Ellis

in our presence on the date above written.

Daniel S. Zevin

WITNESSES

President Pro Tem Bond Presided

RCS# 2865
5/21/01
1:48 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 16

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y 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-0721
01-O-0752
01-O-0753
01-O-0494
01-O-0712
01-R-0763
01-R-0765

CONSENT

**ITEMS ADOPTED
ON CONSENT
AGENDA**

**ITEMS ADOPTED
ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT
AGENDA**

1. 01-O-0582
2. 01-O-0583
3. 01-O-0584
4. 01-O-0585
5. 01-O-0586
6. 01-O-0587
7. 01-O-0742
8. 01-O-0748
9. 01-O-0715
10. 01-O-0723
11. 01-O-0751
12. 01-O-0754
13. 01-O-0755
14. 01-O-0756
15. 01-O-0106
16. 01-O-0495
17. 01-O-0496
18. 01-O-0497
19. 01-O-0498
20. 01-O-0567
21. 01-O-0568
22. 01-O-0569
23. 01-O-0616
24. 01-O-0638
25. 01-O-0643
26. 01-O-0665
27. 01-O-0716
28. 01-O-0759
29. 01-R-0667
30. 01-R-0669
31. 01-R-0670
32. 01-R-0656
33. 01-R-0675
34. 01-R-0676
35. 01-R-0725
36. 01-R-0744
37. 01-R-0750
38. 01-R-0758
39. 01-R-0456
40. 01-R-0654

41. 01-R-0757
42. 01-R-0698
43. 01-R-0699
44. 01-R-0700
45. 01-R-0764
46. 01-R-0649
47. 01-R-0658
48. 01-R-0659
49. 01-R-0661
50. 01-R-0662
51. 01-R-0673
52. 01-R-0677
53. 01-R-0678
54. 01-R-0679
55. 01-R-0680
56. 01-R-0681
57. 01-R-0682
58. 01-R-0683
59. 01-R-0760
60. 01-R-0684

61. 01-R-0685
 62. 01-R-0686
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 71. 01-R-0695
 72. 01-R-0697
 73. 01-R-0761
 74. 01-R-0762
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