

Entered - 5-19-00 - sb  
CL 00L0308 ALEXIS HOLMES

01-*R*-0761

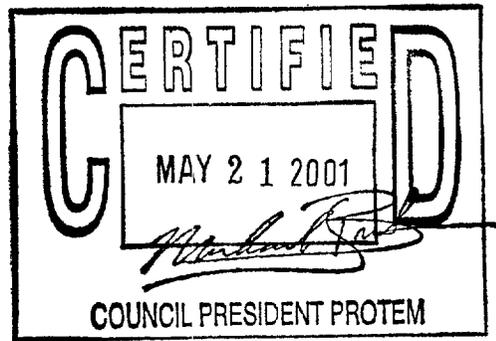
CLAIM OF: **STARLETT STEWART**  
Through her Attorney  
Darrell B. Reynolds, P.C.  
2385 Lawrenceville Highway  
Suite D  
Decatur, Georgia 430033

For damages alleged to have been sustained as a result of falling on the steps located behind the platform in the City Hall Atrium, at 55 Trinity Avenue, SW.

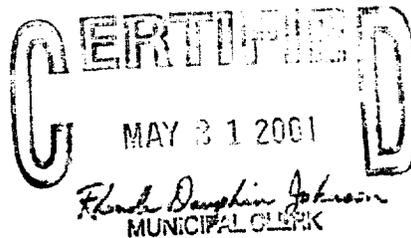
THIS ADVERSED REPORT IS APPROVED

CONSENT AGENDA

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY



ADVERSED  
CITY CLERK MAY 2 1 2001





**CITY OF ATLANTA  
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**

May 21, 2001

Darrell B. Reynolds, P.C.  
Attorney at Law  
2385 Lawrenceville Highway  
Suite D  
Decatur, GA 430033

**01-R-0761**

**RE: Starlett Stewart**

Dear Attorney Reynolds:

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 May 21, 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. 00L0308

Date: 5/03/01

Claimant /Victim STARLETT STEWART
BY: (Atty) Darrell B. Reynolds, P.C.
Address: 2385 Lawrenceville Highway, Suite D, Decatur, Georgia 30033
Subrogation: Claim for Property damage \$ Bodily Injury \$ 36,559.00
Date of Notice: 5/10/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/3/00 Place: Atlanta Atrium City Hall 55 Trinity Avenue, SW
Department: Administrative Services Division: General Services
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained injuries when she tripped and fell on the bottom step of the platform in the Atrium. An investigation determined that the claimant was running and did not see the steps. City records indicate that there are no prior complaints or problems with this area. The City is immune from liability as set forth in O.C.G.A. §36-33-1 and had no notice. However, as a precautionary measure, highlighted marking tape has been place on the steps in question to make them more visible.

INVESTIGATION:

Statements: City employee X Claimant Other Written X Oral X
Pictures Diagrams Reports: Police 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,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 05/07 Committee Action: Council Action

FORM 23-61

01-R-0761

*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
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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
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52. 01-R-0677
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59. 01-R-0760
60. 01-R-0684

61. 01-R-0685
  62. 01-R-0686
  63. 01-R-0687
  64. 01-R-0688
  65. 01-R-0689
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  70. 01-R-0694
  71. 01-R-0695
  72. 01-R-0697
  73. 01-R-0761
  74. 01-R-0762
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