Entered - 04/18/01 - sb
CL01L0243 - DIANNE C. MITCHELL

CLAIM OF: **DELLA SANDERS,**
through her attorney,
Van Elgin Scott
142 Mitchell Street
Suite 200
Atlanta, Georgia 30303

01-R-0803

For damages alleged to have been sustained as a result of a vehicular accident on March 30, 2001 at Cleveland Avenue and Interstate 75.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED BY CITY COUNCIL JUN 0 4 2001

CERTIFIED
JUN 0 4 2001
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JUN 0 4 2001
MUNICIPAL CLERK

COM: Public Safety
5/29/01

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

June 19, 2001

Della Sanders
c/o Attorney Van Elgin Scott
142 Mitchell Street
Suite 200
Atlanta, Georgia 30303

01-R-0803

Dear Ms. Sanders:

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 June 4, 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

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **01L0243** Date: May 14, 2001

Claimant /Victim **DELLA SANDERS**
BY: (Atty) Van Elgin Scott
Address: 142 Mitchell Street, Suite 200, Atlanta, Georgia 30303
Subrogation: _____ Claim for Property damage $ _____ Bodily Injury $ Not Stated
Date of Notice: 04/18/01 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/30/01 Place: Cleveland Avenue and Interstate 75
Department Police Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges she was injured in a vehicular accident with the driver of a vehicle that was eluding police. The investigation determined that there was no negligence on the part of the City or its employees in causing this accident.

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 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,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: _____ Concur/date 05-16-01
Committee Action: _____ Council Action _____

FORM 23-61

Mitchell
04/18/01

Van Elgin Scott, Esq., P. C.

142 Mitchell Street-Suite 200
Atlanta, Georgia 30303

Van Elgin Scott
Attorney At Law

Telephone: (404) 521-0056
Telecopier: (404) 521-3002

ENTERED - 4-18-01 - SB
01L0243 - DIANNE MITCHELL

April 13, 2001

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED #7099 3400 0008 7922 2275

City of Atlanta
c/o Susan Pease Langford, City Attorney
68 Mitchell Street, SW, Suite 4100
Law Department, Fourth Floor
Atlanta, Georgia 30335-0332

RE: Notice of Claim Against the City of Atlanta Pursuant to O.C.G.A. §36-11-1
Claimants: Talishelia Taylor
Della Sanders
Shynecia Taylor (a minor)
Shatorria Taylor (a minor)
Naterica Sanders (a minor)

Dear Ms. Langford:

Pursuant to O.C.G.A. § 36-11-1, you and the City of Atlanta are hereby given formal notice that the above-referenced claimants have suffered personal injuries arising out an incident, which occurred on or about Friday, March 30, 2001. The incident occurred on Cleveland Avenue at its intersection with Interstate 75/85 Southbound offramp, Atlanta, Fulton County, Georgia. My clients sustainted injuries when the driver of a stolen vehicle, Jonathan Fenn, while being negligently pursued by City of Atlanta Police Department, sideswiped their vehicle.

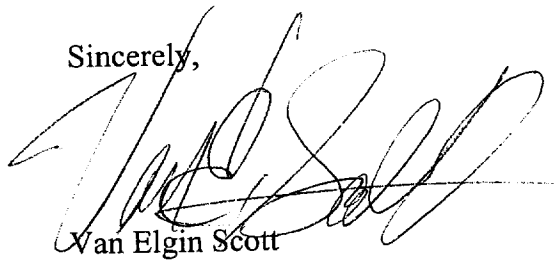
As consequence of Atlanta's negligence and disregard for my clients, they suffered various personal injuries and mental harm. For these and other damages, to be determined, my clients will seek compensation from the City of Atlanta and any other responsible parties.

Your office is hereby requested to not contact my client. If an interview is desired please make your request through my office. Once you have established a claim or file number

for this matter, please advise my office of this and any other related information.

Please contact me, if you have any questions or concerns.

Sincerely,



Van Elgin Scott

VES/ctc

cc: Ms. Talishelia Taylor
Ms. Della Sanders
Ms. Claressa Pitts
Ms. Taketa Roberts

01- R-0803

RCS# 2912
6/04/01
2:56 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 12

ADOPT

SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	3

Unanimous

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

ITEM (S) REMOVED FROM CONSENT AGENDA

01-O-0653
01-O-0663
01-O-0664
01-O-0835
01-R-0181
01-R-0851

CONSENT

ITEMS ADOPTED ON CONSENT AGENDA

1. 01-O-0821
2. 01-O-0834
3. 01-O-0833
4. 01-O-0492
5. 01-O-0671
6. 01-O-0717
7. 01-O-0825
8. 01-O-0826
9. 01-O-0837
10. 01-R-0832
11. 01-R-0308
12. 01-R-0836
13. 01-R-0784
14. 01-R-0785
15. 01-R-0822
16. 01-R-0352
17. 01-R-0792
18. 01-R-0846
19. 01-R-0794
20. 01-R-0795

ITEMS ADVERSED ON CONSENT AGENDA

21. 01-R-0796
22. 01-R-0797
23. 01-R-0798
24. 01-R-0799
25. 01-R-0800
26. 01-R-0801
27. 01-R-0802
28. 01-R-0803
29. 01-R-0804
30. 01-R-0805
31. 01-R-0806
32. 01-R-0807
33. 01-R-0808
34. 01-R-0891
35. 01-R-0810
36. 01-R-0811
37. 01-R-0812
38. 01-R-0813
39. 01-R-0814
40. 01-R-0815
41. 01-R-0816
42. 01-R-0817