

Entered - 3-5-01- sb
CL - 01L0164 ALEXIS HOLMES

01- R -1033

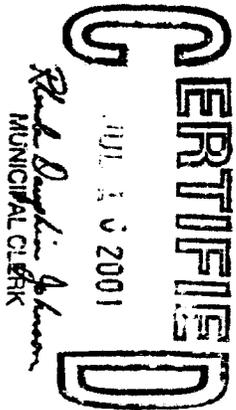
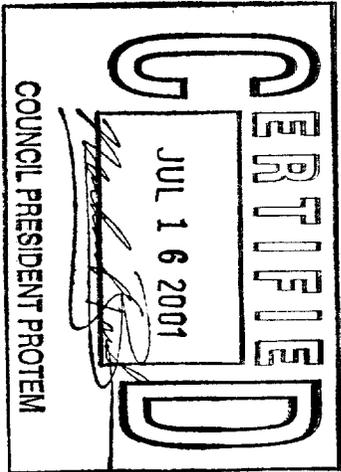
CLAIM OF: **ENTERPRISE RENT-A-CAR**

3109 Maple Drive
Suite 325
Atlanta, Georgia 30305

For damages alleged to have been sustained as a result of vehicle accident on November 12, 2000 at 865 Martin Luther King, Jr. Drive.

THIS ADVERSE REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSE BY CITY COUNCIL JUL 16 2001

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE 7/10/01

CHAIR: C. T. Martin

Thomas
Sherry D. Jones
City 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

July 27, 2001

Enterprise Rent-A-CAR
Attn: Shannetta Reid
3109 Maple Drive
Suite 325
Atlanta, GA 30305

01-R-1033

Dear Ms. Reid:

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 July 16, 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. 01L0164

Date: 6/25/01

Claimant /Victim ENTERPRISE RENT-A-CAR

BY: (Atty)

Address: 3109 Maple Drive, Suite 325 Atlanta, Georgia 30305

Subrogation: Claim for Property damage \$ 1,009.16 Bodily Injury \$

Date of Notice: 2/26/01 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 11/12/00 Place: 865 Martin Luther King, Jr. Drive

Department Public Works Division: Solid Waste and Transportation

Employee involved Stanley Bryant Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The claimant sustained damage to its vehicle when the driver of a City vehicle backed into the claimant's parked vehicle. An investigation determined that this claim was duplicative of claim number 01L0126 filed on February 26, and it was amicably resolved on April 3, 2001.

INVESTIGATION:

Statements: City employee Claimant X Other Written X Oral

Pictures X Diagrams X 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,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 06-26-01

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RECEIVED
FEB 26 2001

RE: CLAIM FOR DAMAGES

Adms
03/01/01
R

Today's Date: 2-19-01

ENTERED - 3-5-01 - SB
01L0164 - ALEXIS HOLMES

92-25-01 A10:00 IN

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,009.16 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 12/08/00 11/12/01 2. Time of Incident: ~~08:00~~ 3. Police called: Yes No
(month/day/year)

4. Location of incident (including street address): 865 Martin L. King Jr Dr NW / Ashby ST NW

5. Name of your insurance company: Self Insurer Certificate Policy No. SI 2001-100

6. State what and how incident occurred: Stanley Bryant ~~hit the~~ struck the parked Enterprise car while backing up.

7. 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!

8. 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:	<u>Pontiac Grand AM</u> <u>2000</u> (Make)	<u>2000</u> (Year)	<u>481WVY</u> (Tag Number)	<u>Kwane Fisher Jones</u> (Driver's Name)
City vehicle:	<u>Kodiak</u> (Make)	<u>Stanley Bryant</u> (City Driver's Name)		<u>?</u> (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgment 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).

11. This claim should be mailed immediately to the address shown above. Enterprise Leasing Co. of GA

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.
Shanetta Reid
Signature of Claimant

Shanetta Reid
(Print Claimant's Name)
3109 Maple Drive Suite 325
(Address)
Atlanta, GA 30305
(City, State and Zip Code)
404-442-7086
(Work Number) 01-R-1033
(Home Number)

RCS# 2995
7/16/01
2:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 16

ADOPT

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

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

B McCarty	Y 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	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0992 01-R-1108
01-O-0710 01-R-1041
01-O-0711 01-R-1042
01-O-1089 01-R-1043
01-O-0995 01-R-1065

CONSENT

**ITEMS ADOPTED
ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT
AGENDA**

1. 01-O-1091
2. 01-O-0722
3. 01-O-0855
4. 01-O-0890
5. 01-O-0891
6. 01-O-0980
7. 01-O-0924
8. 01-O-1086
9. 01-O-1090
10. 01-O-0731
11. 01-O-0917
12. 01-R-1013
13. 01-R-1014
14. 01-R-1015
15. 01-R-1016
16. 01-R-1007
17. 01-R-1009
18. 01-R-1012
19. 01-R-1005
20. 01-R-1006
21. 01-R-1011
22. 01-R-1109
23. 01-R-1017
24. 01-R-1077
25. 01-R-1080
26. 01-R-1019
27. 01-R-1020
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29. 01-R-1022
30. 01-R-1023
31. 01-R-1024
32. 01-R-1025
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36. 01-R-1107

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 76. 01-R-1072
 77. 01-R-1073
 78. 01-R-1104
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