

Entered - 6-21-01- sb
CL - 01L0392 ALEXIS HOLMES

01-R-1160

CLAIM OF: **ERICK GONZALEZ,**
Through his Attorney
William F. Holbert
852 Ralph David Abernathy Boulevard, SW
Atlanta, Georgia 30310

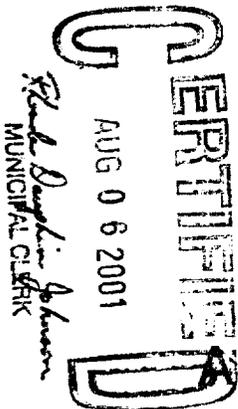
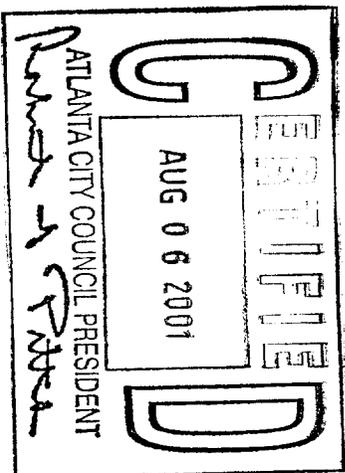
For damages alleged to have been sustained as a result of a vehicular
accident on May 11, 2001 at 142 Ashby Street at Parsons Street.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSE REPORT
CITY COUNCIL AUG 06 2001



ADVERSE REPORT

COMM PS & LA
DATE 7/31/01
CHAIR C. T. Marks
Michael B. ...
Dany ...
Henry ...
Clara ...



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

August 14, 2001

William F. Holbert
Attorney at Law
852 Ralph David Abernathy Blvd.
Atlanta, Georgia 30310

01-R-1160

RE: Eerick Gonzalez

Dear Attorney Holbert:

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 January 03, 2000. 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. 01L0392

Date: 7/10/01

Claimant /Victim ERICK GONZALEZ
BY: (Atty) William F. Holbert
Address: 852 Ralph David Abernathy Boulevard, SW Atlanta, Georgia 30310
Subrogation Claim for Property damage \$ Bodily Injury \$ Unspecified
Date of Notice: 6/19/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/11/01 Place: 142 Ashby Street at Parsons Street
Department Police Division: Field Operations Division
Employee involved Officer Lorenzo Lockett Disciplinary Action: Pending

NATURE OF CLAIM: The claimant sustained damages when a City of Atlanta police officer struck him with his patrol car while he was riding on his bicycle. An offer of \$2,000.00 was made to the claimant to settle his claim, as set forth in Section 2-4 of the City Code of Ordinance, however, the claimant has rejected the City's offer.

INVESTIGATION:

Statements: City employee Claimant Other Written Oral X
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Pending Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected X 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 07-12-01
Committee Action: Council Action

RCS# 3033
8/06/01
2:56 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-15

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Unanimous

Y McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1106
01-R-1200
01-R-1217

CONSENT

ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
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2. 01-O-1083	30. 01-R-1142	49. 01-R-1042	77. 01-R-1210
3. 01-O-1084	31. 01-R-1143	50. 01-R-1043	78. 01-R-1211
4. 01-O-1085	32. 01-R-1144	51. 01-R-1149	79. 01-R-1212
5. 01-O-1123	33. 01-R-1145	52. 01-R-1151	80. 01-R-1213
6. 01-O-1126	34. 01-R-1146	53. 01-R-1152	
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8. 01-O-1120	36. 01-R-1148	55. 01-R-1154	
9. 01-R-1130	37. 01-R-1189	56. 01-R-1155	
10. 01-R-1131	38. 01-R-1190	57. 01-R-1156	
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12. 01-R-1187	40. 01-R-1192	59. 01-R-1158	
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14. 01-R-1224	42. 01-R-1194	61. 01-R-1160	
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16. 01-R-1228	44. 01-R-1196	63. 01-R-1162	
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18. 01-R-1226	46. 01-R-1198	65. 01-R-1164	
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26. 01-R-1138		73. 01-R-1206	
27. 01-R-1139		74. 01-R-1207	
28. 01-R-1140		75. 01-R-1208	
