Entered -05-09-01 - sb
CL 01L0301 - GWENDOLYN BURNS

01-R-1192

ADOPTED BY
AUG 06 2001
COUNCIL

CLAIM OF: FERIST JAMES
through his attorney
LORI G. LERO
1850 Parkway Place, Suite 420
Marietta, Georgia 30067

For bodily injuries alleged to have been sustained as a result of a vehicular accident on January 25, 2001 at Bankhead Highway, NW and Holly Street, NW.

CERTIFIED
AUG 06 2001
ATLANTA CITY COUNCIL PRESIDENT

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 **FERIST JAMES** ***through his attorney*** **LORI G. LERO** the sum of **$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained as a result of a vehicular accident on January 25, 2001 at Bankhead Highway, NW and Holly Street, NW. 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.

CERTIFIED
AUG 06 2001
MUNICIPAL CLERK

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
COMM: PS+LA
DATE: 7/31/01
CHAIR: C. T. Martin

APPROVED
AUG 15 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW

MUNICIPAL CLERK
ATLANTA, GEORGIA

01-R-1192

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 **Ferist James, through his attorney, Lori G. Lero** 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 bodily injuries sustained in a vehicular accident on January 25, 2001 at Bankhead Highway, NW and Holly Street, NW** 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 Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council AUG 06, 2001
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 AUG 15, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0301 Date: July 17, 2001

Claimant /Victim **FERIST JAMES**
BY: (Atty) (Ins. Co.) LORI G. LERO, P.C.
Address: 1850 Parkway Place, Suite 4202, Marietta, Georgia 30067
Subrogation: _____ Claim for Property damage $_____ Bodily Injury $ 12,000.00
Date of Notice: 5/8/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/25/01 Place: Bankhead Highway, NW & Holly Street, NW
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Zenas Middlebrook Disciplinary Action: 10 day suspension

NATURE OF CLAIM: Claimant sustained bodily injuries when his vehicle was backed into by a sanitation vehicle that was attempting to make a garbage pickup. The City employee was cited for "improper backing".

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 - GWENDOLYN BURNS

RECOMMENDATION:

Pay $ **2,000.00** Adverse _____ Account charged: 1A01 **X** 2J01 _____ 2H01 _____
Claims Manager: _____ Concur/date 07-20-01
Committee Action: _____ Council Action _____

FORM 23-61

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

Atlanta City Council

Regular Session

CONSENT

Pages 1-15

ADOPT

SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA

Unanimous

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

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	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
1. 01-O-1081	29. 01-R-1141	48. 01-R-1041	76. 01-R-1209
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
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6. 01-O-1126	34. 01-R-1146	53. 01-R-1152	
7. 01-O-1105	35. 01-R-1147	54. 01-R-1153	
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	
11. 01-R-1132	39. 01-R-1191	58. 01-R-1157	
12. 01-R-1187	40. 01-R-1192	59. 01-R-1158	
13. 01-R-1188	41. 01-R-1193	60. 01-R-1159	
14. 01-R-1224	42. 01-R-1194	61. 01-R-1160	
15. 01-R-1227	43. 01-R-1195	62. 01-R-1161	
16. 01-R-1228	44. 01-R-1196	63. 01-R-1162	
17. 01-R-0103	45. 01-R-1197	64. 01-R-1163	
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27. 01-R-1139		74. 01-R-1207	
28. 01-R-1140		75. 01-R-1208	