

Entered - 8-7-01- sb
CL - 01L0506 ALEXIS HOLMES

01-*P*-1374

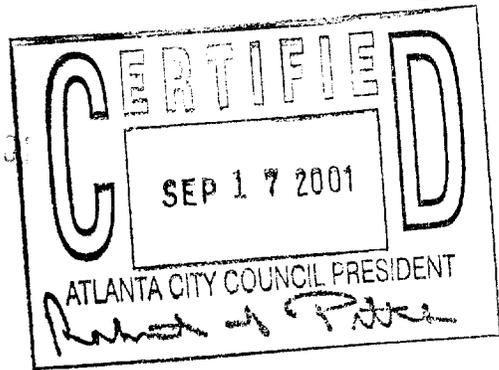
CLAIM OF: **PAUL PEEVY,**
Through his Attorney
Michael J. Puglise, P.C.
1387 Scenic Highway
Snellville, Georgia 30078

For damages alleged to have been sustained as a result of harassment
for an undisclosed period of time at the Safety and Communications
Unit at the Atlanta Board of Education.

THIS ADVERSE REPORT IS APPROVED

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

ADVERSE REPORT
CITY COUNCIL SEP 17 2001



ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: *Public Safety*
CHAIR: *9/17/01* C.T. Martin



Sherry Dosey

Smith
DEPUTY MUNICIPAL CLERK



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

October 2, 2001

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

**FORIS WEBB, III
DEPUTY MUNICIPAL CLERK**

**Michael J. Puglise, P.C.
Attorney at Law
1387 Scenic Highway
Snellville, GA 30078**

01-R-1374

RE: Paul Peevy

Dear Attorney Puglise:

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 September 17, 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

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0506

Date: 8/16/01

Claimant /Victim PAUL PEEVY
BY: (Atty)(Ins.) Michael J. Puglise
Address: 1387 Scenic Highway Snellville, Georgia 30078
Subrogation Claim for Property damage \$ Bodily Injury \$ Unspecified
Date of Notice: 7/20/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence Not Stated Place: Safety and Communication Unit at the Board of Education
Department Police Division: School Detective
Employee involved Officer Karen Hall Disciplinary Action: Pending

NATURE OF CLAIM: The claimant alleges that he has been harassed by a City of Atlanta police officer without provocation. An investigation determined that the claimant has been directed to file a formal complaint in the Office of Professional Standards. Furthermore the City is immune from the tort actions of its police officers as set forth in O.C.G.A. §36-33-3.

INVESTIGATION:

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

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 08-17-01
Committee Action: Council Action

RCS# 3123
9/17/01
6:39 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1374

Unfavorable Claims; Items 20-59

ADOPT

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

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

MULTIPLE