

Entered - 09/04/01 - sb  
CL01L0534 - DIANNE C. MITCHELL

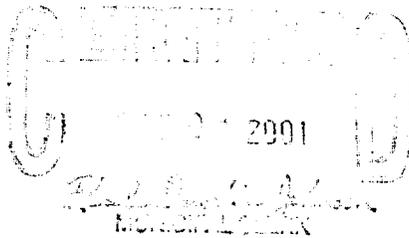
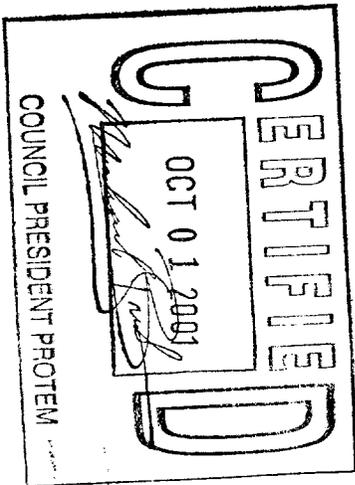
CLAIM OF: **KAREN E. COX, as parent  
and legal guardian of Danquan Cox,  
through their attorney,  
Ramon Walls Palanca  
3017 Piedmont Road, NE  
Suite 100  
Atlanta, Georgia 30305**

01-R-1541

For damages alleged to have been sustained as a result of personal injuries on March 22, 2001 at Bazoline E. Usher Middle School.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY** *Robert N. Cox DCA*



**ADVERSE REPORT**

ADVERSE REPORT  
CITY COUNCIL OCT 01 2001

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: **SEP 25 2001**

CHAIR: *Clayton*

*[Signature]*

*[Signature]*

*[Signature]*



## 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

October 11, 2001

Ramon Walls Palanca  
Attorney at Law  
3017 Piedmont Rd., NE  
Suite 100  
Atlanta, GA 30305

01-R-1541

RE: Karen E. Cox, as parent and legal  
guardian of Danquan Cox

Dear Attorney Palanca:

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 October 01, 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, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0534

Date: September 10, 2001

Claimant /Victim KAREN E. COX, as parent and legal guardian of Danquan Cox  
BY: (Atty) Ramon Walls Palanca  
Address: 3017 Piedmont Road, NE, Suite 100, Atlanta, Georgia 30305  
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated  
Date of Notice: 08/30/01 Method: Written, proper X Improper           
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)           
Date of Occurrence 03/22/01 Place: Bazoline E. Usher Middle School  
Department          Division:           
Employee involved          Disciplinary Action:         

NATURE OF CLAIM: The claimant alleges that her son was assaulted by an employee of Bazoline E. Usher Middle School, which is a part of the Atlanta Board of Education. The Atlanta Board of Education is a separate legal entity from the City of Atlanta. The claimants' attorney has been advised of the above.

INVESTIGATION:

Statements: City employee          Claimant          Others          Written          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          Ministerial           
Improper Notice          More than Six Months          Other          Damages reasonable           
City not involved X 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: Dianne C. Mitchell Concur/date 09-12-01  
Committee Action:          Council Action

RCS# 3142  
10/01/01  
1:54 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 14

ADOPT

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y McCarty  
Y Starnes  
Y Bond  
B Winslow

Y Dorsey  
Y Woolard  
Y Morris  
Y Muller

Y Moore  
B Martin  
NV Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-1018

CONSENT

---

**10/01/01 Council Meeting**

---

**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 01-O-1570
2. 01-O-1571
3. 01-O-1354
4. 01-O-1488
5. 01-O-1335
6. 01-O-1336
7. 01-O-1337
8. 01-O-1342
9. 01-O-1343
10. 01-O-1344
11. 01-O-1345
12. 01-O-1346
13. 01-O-1119
14. 01-O-1351
15. 01-O-1572
16. 01-R-1588
17. 01-R-1273
18. 01-R-1276
19. 01-R-1428
20. 01-R-1456
21. 01-R-1471
22. 01-R-1499
23. 01-R-1580
24. 01-R-1581
25. 01-R-0921
26. 01-R-1561
27. 01-R-1584
28. 01-R-1521
29. 01-R-1522
30. 01-R-1523
31. 01-R-1524
32. 01-R-1525
33. 01-R-1526
34. 01-R-1527
35. 01-R-1528
36. 01-R-1545
37. 01-R-1546
38. 01-R-1547

**ITEMS ADVERSED  
ON CONSENT AGENDA**

39. 01-R-1529
  40. 01-R-1530
  41. 01-R-1531
  42. 01-R-1532
  43. 01-R-1533
  44. 01-R-1534
  45. 01-R-1535
  46. 01-R-1536
  47. 01-R-1537
  48. 01-R-1538
  49. 01-R-1539
  50. 01-R-1540
  51. 01-R-1541
  52. 01-R-1542
  53. 01-R-1543
  54. 01-R-1544
  55. 01-R-1548
  56. 01-R-1549
  57. 01-R-1550
  58. 01-R-1551
  59. 01-R-1552
  60. 01-R-1553
  61. 01-R-1554
  62. 01-R-1555
  63. 01-R-1556
  64. 01-R-1557
  65. 01-R-1558
  66. 01-R-1559
  67. 01-R-1560
-