

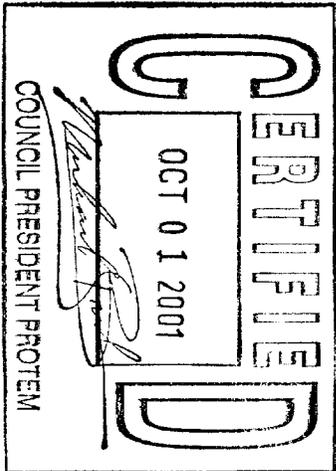
Entered - 09/05/01 - sb  
CL01L0554 - DIANNE C. MITCHELL

CLAIM OF: **KEYNA BREWTON,**  
**through her attorney,**  
**Kenneth S. Nugent**  
**Suite 1000**  
**1355 Peachtree Street**  
**Atlanta, Georgia 30309**

01-R -1544

For damages alleged to have been sustained as a result of a vehicular accident on January 24, 2001 at 2870 Forest Hills Drive.

THIS ADVERSED REPORT IS APPROVED



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



ADVERSE REPORT  
CITY COURSE OCT 01 2001

# ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: **SEP 25 2001**

✓ CHAIR: *Cleopatra Henderson*  
*[Signature]*  
*Sherry Dorsey*



## 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

Kenneth S. Nugent  
Attorney at law  
1355 Peachtree Street  
Suite 1000  
Atlanta, GA 30309

01-R-1544

RE: Keyna Brewton

Dear Attorney Nugent:

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. 01L0554

Date: September 10, 2001

Claimant /Victim KEYNA BREWTON

BY: (Atty) Kenneth S. Nugent

Address: Suite 1000, 1355 Peachtree Street, Atlanta, Georgia 30309

Subrogation: Claim for Property damage \$ Bodily Injury \$ 4,424.00

Date of Notice: 09/04/01 Method: Written, proper X Improper         

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

Date of Occurrence 01/24/01 Place: 2870 Forest Hills Drive

Department Police Division:         

Employee involved Larry B. Marshall Disciplinary Action:         

NATURE OF CLAIM: The claimant alleges that she was injured when a City vehicle rear ended the vehicle in which she was riding. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5, the six month statute of limitations expired prior to receipt of the claim.

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 X Other          Damages reasonable         

City not involved          Offer rejected          Compromise settlement         

Repair/replacement by Ins. Co.          Repair/replacement by City Forces         

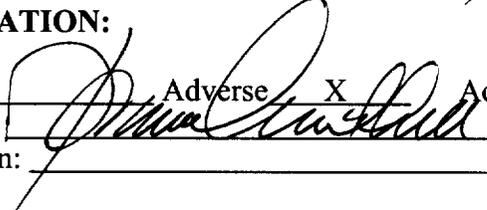
Claimant Negligent          City Negligent          Joint          Claim Abandoned         

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  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 Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

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

CONSENT

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**10/01/01 Council Meeting**

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**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
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