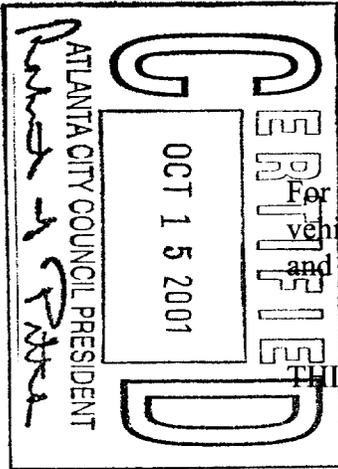


Entered - 7-17-01- sb  
CL - 01L0454 ALEXIS HOLMES

01-R-1612

CLAIM OF: **MR. AND MRS. JOHNSON PARENTS AND  
GUARDIANS OF TRELANIE JOHNSON**

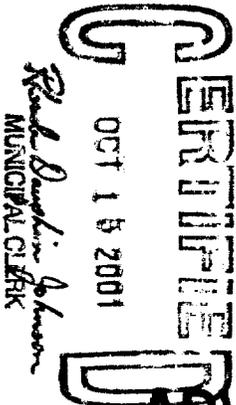
**Through her attorney**  
Ralph E. Hughes  
Suite 720 Commerce Plaza  
755 Commerce Drive  
Decatur, Georgia 30030



For bodily injuries alleged to have been sustained as a result of a vehicular accident on April 28, 2001 at Martin Luther King, Jr. Drive and Harlan Road SW.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robert N. [Signature]* DC4



APPROVED OCT 15 2001

**ADVERSE REPORT**

COMM: P.S.L.A.

DATE: OCT 0 2001

CHAIR: E. T. [Signature]

[Signature]  
[Signature]  
[Signature]

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\_\_\_\_\_  
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## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

October 25, 2001

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

Ralph E. Hughes  
Attorney at Law  
755 Commerce Drive  
Suite 720 Commerce Plaza  
Decatur, Georgia 30030

01-R-1612

RE: Mr. & Mrs Johnson parents, and  
Gaurdians of Trelanie Johnson

Dear Attorney Hughes:

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 15, 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. 01L0455

Date: 9/24/01

Claimant /Victim MR. AND MRS. JOHNSON PARENTS AND GUARDIANS OF TRELANIE JOHNSON
BY: (Atty)(Ins.) Ralph E. Hughes
Address: Suite 720 Commerce Plaza 755 Commerce Drive, Decatur, Georgia 30030
Subrogation: Claim for Property damage \$ Bodily Injury \$ Undetermined
Date of Notice: 7/18/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)
Date of Occurrence 4/28/01 Place: Martin Luther King, Jr. Drive at Harland Road SW
Department Police Division: FOD
Employee involved Officer Fred Wesley Scott Disciplinary Action: Cleared by arrest

NATURE OF CLAIM: The claimant's guardians allege that the claimant sustained extensive injuries when the vehicle in which she was riding was struck by a City vehicle driven by a police officer responding to an emergency call, and operating blue lights and siren. In an investigation by the City's Hit and Run Unit, it was determined that the City driver was not in violation of any traffic offenses or City policies and/or procedures. Also, the driver of the vehicle in which the claimant was riding was found in violation of a traffic offense when she failed to yield to an emergency vehicle. Furthermore, the City is immune from liability as set forth under O.C.G.A. § 36-33-1 and § 36-33-3.

INVESTIGATION:

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

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 09-25-01
Committee Action: Council Action

RCS# 3186  
10/15/01  
3:51 PM

Atlanta City Council

Regular Session

MULTIPLE  
01-R-1612

Unfavorable Claims; Items #6-#23,  
#26 & #27  
ADVERSE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

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

CORRECTED COPY

MULTIPLE