

Entered -03-29-00 - sb  
CL 00L0189 - GWENDOLYN BURNS

CLAIM OF:

SALINA ARNOLD  
through her attorney,  
D. Kevin Wheeler, Esq.  
WHEELER & WATSON, P.C.  
5180 Roswell Road  
South Building, Suite 203  
Atlanta, Georgia 30342

01- R -1630

For bodily injuries alleged to have been sustained when a vehicle was driven over a sanitary sewer construction site that was not properly covered in the roadway on September 25, 1999 at 934 Custer Avenue, SE.

THIS ADVERSED REPORT IS  
APPROVED

FILED BY  
CITY COUNCIL

OCT 15 2001

BY: Robert N. Godfrey  
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

Standing committees  
AGENDA

*File*  
~~ADVERSE REPORT~~  
FORM 1829  
DATE OCT 15 2001  
CHAR C. T. Martin  
C. T. Martin  
W. M.

CERTIFIED  
OCT 15 2001

[Signature]  
DEPUTY MUNICIPAL CLERK

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0189

Date: September 25, 2001

Claimant /Victim SALINA ARNOLD
BY: (Atty) (Ins. Co.) D. Kevin Wheeler, Esq., WHEELER & WATSON, P.C.
Address: 5180 Roswell Road, South Building, Suite 203, Atlanta, Georgia 30342
Subrogation: Claim for Property damage \$ Bodily Injury \$ 100,000.00
Date of Notice: 3/23/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 9/25/99 Place: 934 Custer Avenue
Department PUBLIC WORKS Bureau: Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained bodily injuries when she drove over a metal plate that was partially covering a sanitary sewer construction site in the roadway. However, the claimant has filed a lawsuit to resolve the issues of this claim.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X
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 X
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 09-26-01
Committee Action: Council Action

RCS# 3188  
10/15/01  
3:57 PM

Atlanta City Council

Regular Session

MULTIPLE

Claims: 01-R-1629 & 01-R-1630

FILE

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
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
NV Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE