



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

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October 17, 2001

Heidi Hatcher
208 12th Street, # 10
Atlanta, Georgia 30309

01-R-1633

Dear Ms. Hatch:

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 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

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0406

Date: September 24, 2001

Claimant /Victim HEIDI HATCHER
BY: (Atty) (Ins. Co.)
Address: 208 12th Street, #10, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ 1,623.48 Bodily Injury \$
Date of Notice: 7/2/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/27/01 Place: 887 Myrtle Street
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her parked vehicle sustained damage when it was side-swiped by a sanitation vehicle during a trash pickup. However, there were no witnesses to the alleged accident and the claimant failed to report the accident to the police or the city sanitation facility involved in the accident.

INVESTIGATION:

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

Gwendolyn Burns
INVESTIGATOR, GWENDOLYN BURNS

RECOMMENDATION:

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

RCS# 3187
10/15/01
3:55 PM

Atlanta City Council

Regular Session

MULTIPLE

Unfavorable Claims; Items #24 & #25
01-R-1631 & 01-R-1633
ADVERSE

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

CORRECTED COPY

MULTIPLE