

00-P-0547

Entered - 09/14/99 - sb
CL99L0564 - DIANNE C. MITCHELL

CLAIM OF: DR. M. ELIZABETH HALLORAN,
through her attorney,
Steven L. Wright
3950 One Atlantic Center
1201 West Peachtree Street, NW
Atlanta, Georgia 30309

For damages alleged to have been sustained as a
result of property damage on August 17, 1999 at
1036 Rosedale Road, NE.

THIS ADVERSED REPORT IS
APPROVED

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

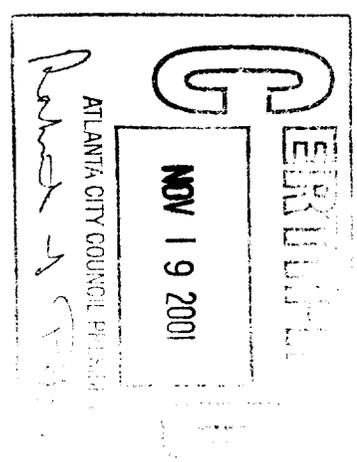
ADVERSED REPORT

Standing committees

AGENDA 11-19-01

FILED BY
CITY COUNCIL

NOV 19 2001



CERTIFIED
NOV 19 2001
Ronald D. ...
MUNICIPAL CLERK

COM: *Public Safety*
DATE: *4/11/00*
CHM: *C. T. ...*
[Signature]
[Signature]
[Signature]

COM: *P.S. L.A.*
DATE: *5/19/00*
CHM: *HELD*
[Signature]
[Signature]
[Signature]

COM: *P.S. L.A.*
DATE: *8/16/00*
CHM: *HELD*
[Signature]
[Signature]
[Signature]

DATE: *11/14/00* *2/27/01*
DATE: *11/28/00* *3/13/01*
DATE: *12/12/00* *3/27/01*
DATE: *1/16/01* *4/12/01*
DATE: *1/30/01* *5/15/01*
DATE: *2/13/01* *5/29/01*
DATE: *3/14/01* *6/12/01*

REFERRED BY
CITY COUNCIL
MAY 01 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0564

Date: April 3, 2000

Claimant /Victim Dr. M. Elizabeth Halloran
BY: (Atty) Steven L. Wright
Address: 3950 One Atlantic Tower, 1201 West Peachtree Street, NW, Atlanta, GA 30309
Subrogation: Claim for Property damage \$ not stated Bodily Injury \$
Date of Notice: 09/07/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 08/17/99 Place: 1036 Rosedale Road, NE
Department Public Works Division: Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her property was damaged due to a sewer back up. The investigation determined that the City had no notice of any problems with the sewer line prior to the call from the claimant. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

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

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 04/02/00
Committee Action: Council Action

RCS# 3298
11/19/01
5:22 PM

Atlanta City Council

Regular Session

MULTIPLE

Public Safety Ordinances #1 thru #16
Except #8, #11, 18; Resol #1 through #2
FILE

#2) 00-R-0547

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

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

MULTIPLE