

CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION  
BY PUBLIC SAFETY COMMITTEE

01-R-2027

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE ALL CLAIMS ARISING OUT OF THE CASE OF PEACHTREE NATURAL GAS V. CITY OF ATLANTA IN THE BANKRUPTCY COURT OF THE NORTHERN DISTRICT OF GEORGIA; ACTION NO. 99-75896-REB; ADVERSARY PROCEEDING NO. 01-6313 FOR \$10,944.62; AND FOR OTHER PURPOSES.

WHEREAS, Plaintiff Peachtree Natural Gas has filed an adversarial proceeding in bankruptcy court claiming a complaint on account for service at South River Wastewater Plant, 2640 Jonesboro Road, S.W. Atlanta, Georgia 30316; and

WHEREAS, such complaint allegedly resulted from the nonpayment of certain invoices for gas services provided to the City; and

WHEREAS, Peachtree Natural Gas claims damages of \$10,944.62 plus interest, attorneys fees, and costs; and

WHEREAS, the City desires to pay the amounts owed for the gas services used; and

WHEREAS, the Law Department recommends settlement with Plaintiff Peachtree Natural Gas for \$10,944.62 in satisfaction of all claims of Peachtree Natural; and

WHEREAS, Plaintiff Peachtree Natural, by and through its attorney of record, has agreed to accept \$10,944.62 as full settlement of its claims against the City of Atlanta and thereafter shall dismiss all claims against the City of Atlanta; and

WHEREAS, in the opinion of the City Attorney, it is in the best interests of the City to settle this action pursuant to such terms;

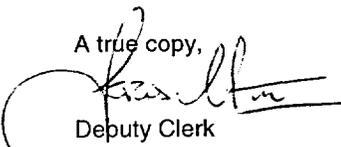
NOW THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

**Section 1.** The City Attorney is hereby authorized to settle the case of PEACHTREE NATURAL GAS V. CITY OF ATLANTA, In The Bankruptcy Court Of The Northern District Of Georgia; Action No. 99-75896-Reb; Adversary Proceeding No. 01-6313, for the sum of TEN THOUSAND NINE HUNDRED FORTY FOUR DOLLARS AND SIXTY TWO CENTS (\$10,944.62) in exchange for the dismissal with prejudice of the suit against the City of Atlanta and an executed release to be prepared by the Law Department.

**Section 2.** The Chief Financial Officer is hereby authorized to pay a total sum of \$10,944.62 to Plaintiff Peachtree Natural Gas and its attorney, Michael F. Hanson, from Account Number 2J01 529017 T31001.

OMC – Amendment Incorporated by tcp 12/14/01

A true copy,

  
Deputy Clerk

ADOPTED as amended by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

DEC 03, 2001

DEC 12, 2001

**01-R-2027**  
(Do Not Write Above This Line)

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BY PUBLIC SAFETY COMMITTEE

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Robert N. Godfrey  
Deputy City Attorney

**ADOPTED BY**  
**DEC 03 2001**

- COUNCIL** *Vote*
- CONSENT REFER *AS Amended*
  - REGULAR REPORT REFER
  - ADVERTISE & REFER
  - 1st ADOPT 2nd READ & REFER
  - PERSONAL PAPER REFER

Date Referred \_\_\_\_\_

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Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
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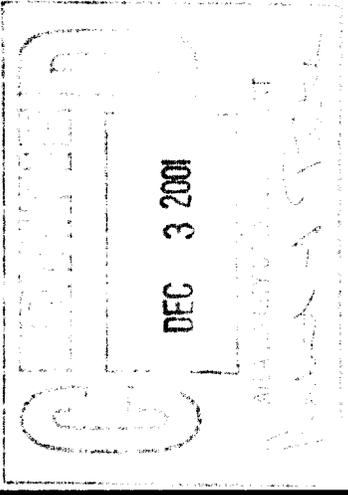
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Action: \_\_\_\_\_  
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Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd  
Readings

Consent  V Vote  RC Vote

CERTIFIED



**CERTIFIED**  
DEC 03 2001

  
DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

DEC 12 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW