

Entered - 7-23-01  
CL 01L0481 ALEXIS HOLMES

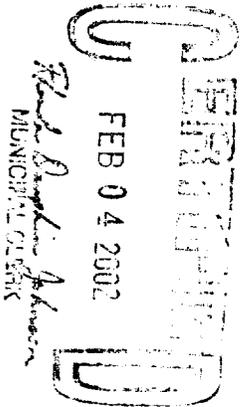
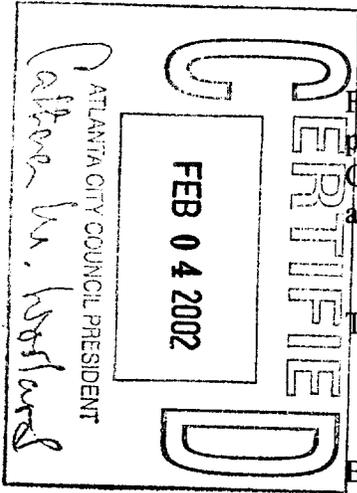
CLAIM OF: **COURTNEY DARBY**  
Through her attorney  
Delmarie A. Griffin  
235 Peachtree Street, NE  
Suite 2212  
Atlanta, Georgia 30303- 1406

**02-R -0134**

For damages alleged to have been sustained when the City failed to provide for the issuance of Certificates of Public Necessity and Convenience from January 1996 to present at the Bureau of Taxicabs and Vehicles for Hire Office.

THIS ADVERSE REPORT IS APPROVED

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



ADVERSE BY CITY COUNCIL FEB 04 2002

**ADVERSE REPORT**

COMM: *Public Safety*

DATE: *JAN 29 2002*

CHAIR: \_\_\_\_\_

*Chad Wilson*

*C. T. ...*

*Carla ...*

*...*

*...*

*...*



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

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

February 13, 2002

Delmarie A. Griffin  
Attorney at Law  
234 Peachtree Street  
Suite 2212  
Atlanta, Ga 30303-1406

02-R-0134

RE: Courtney Darby

Dear Attorney Griffin:

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 February 4, 2002. 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. 001L0624

Date: 01/07/02

Claimant /Victim COURTNEY DARBY
BY: (Atty) Delmarie A. Griffin
Address: Griffin & Strong 235 Peachtree Street, NE Suite 2212 Atlanta, Georgia 30303-1406
Subrogation: Claim for Property damage Unspecified Bodily Injury \$
Date of Notice: 9/19/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/27/95 ongoing Place: City of Atlanta
Department Police Division: Taxicabs and Vehicles for Hire
Employee involved Jessie Flannigan Disciplinary Action: None Taken

NATURE OF CLAIM: The claimant states that she is the sole heir to her deceased mother's estate, and she sustained damages when the City refused to transfer Certificates of Public Necessity and Convenience (CPNC) belonging to her mother into her name. An investigation determined that the claimant met all the requirements that were necessary to effectuate a proper transfer of the CPNC. Therefore, the City has transferred the CPNC into the claimant's name.

INVESTIGATION:

Statements: City employee X Claimant Other Written X Oral X
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,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 01-14-02
Committee Action: Council Action

RCS# 3449  
2/04/02  
4:05 PM

Atlanta City Council

Regular Session

CONSENT I

Pages 1 thru 6: Except 02-O-0004;  
02-R-0005;02-O-0006;02-R-0193;02-R-0105  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
02-R-0105  
02-R-0193

CORRECTED COPY

CONSENT I

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**02/04/02 Council Meeting**

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 02-O-0169
2. 02-R-0088
3. 02-R-0146
4. 02-R-0147
5. 02-R-0179
6. 02-R-0137
7. 02-R-0138
8. 02-R-0139
9. 02-R-0140
10. 02-R-0141
11. 02-R-0142
12. 02-R-0143
13. 02-R-0144
14. 02-R-0145

**ITEMS ADVERSED ON  
CONSENT AGENDA**

15. 02-R-0117
  16. 02-R-0118
  17. 02-R-0119
  18. 02-R-0120
  19. 02-R-0121
  20. 02-R-0122
  21. 02-R-0123
  22. 02-R-0124
  23. 02-R-0125
  24. 02-R-0126
  25. 02-R-0127
  26. 02-R-0128
  27. 02-R-0129
  28. 02-R-0130
  29. 02-R-0131
  30. 02-R-0132
  31. 02-R-0133
  32. 02-R-0134
  33. 02-R-0135
  34. 02-R-0136
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