

Entered - 11-27-01 - sb
CL 01L0751- ALEXIS HOLMES

CLAIM OF: TAMARA SILER
Through her Attorney
Robert Beauchamp
BEAUCHAMP & ASSOCIATES
P.O. Box 287 Albany, Georgia 31702

02-*R*-0224

For damages alleged to have been sustained as a result of being struck by the driver of a City vehicle on October 25, 2001 at Peachtree Street and Martin Luther King, Jr. Drive, SW.

THIS ADVERSE REPORT IS APPROVED

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

CONSENT AGENDA

CERTIFIED
FEB 1 8 2002
ATLANTA CITY COUNCIL PRESIDENT
Tamara W. Beckford

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 02/12/2002

CHAIR: *[Signature]*

C. T. Mark

Carla

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CERTIFIED
FEB 1 8 2002
MUNICIPAL CLERK
[Signature]

ADVERSE BY FEB 1 8
CITY COUNCIL



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 27, 2002

Robert Beauchamp
Attorney at Law
P.O. Box 287
Albany, GA 31702

02-R-0224

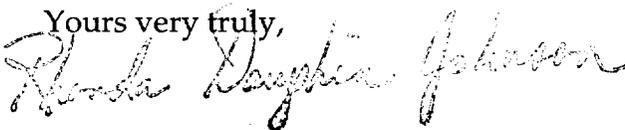
RE: Tamara Siler

Dear Attorney Beauchamp:

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 18, 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. 01L0751

Date: 01/10/02

Claimant /Victim TAMARA SILER
BY: (Atty) BEAUCHAMP & ASSOCIATES
Address: P.O. Box 287 Albany, Georgia 31702
Subrogation: Claim for Property damage \$ Bodily Injury \$ Unspecified
Date of Notice: 11/19/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/25/01 Place: Peachtree Street and Martin Luther King, Jr. Dr. SW.
Department Public Works Division: Solid Waste
Employee involved Kelleita L. Thurman Disciplinary Action: None Taken

NATURE OF CLAIM: The claimant alleges that she sustained injuries when she was struck by the driver of a City vehicle while crossing the street. The investigation determined that the claimant violated her pedestrian duties when she improperly crossed in the middle of the street instead of in the crosswalk. Furthermore, it has been determined that there was no negligence on the part of the City or its employee in causing this accident.

INVESTIGATION:

Statements: City employee Claimant X Other X Written X Oral
Pictures X Diagrams X Reports: Police X Dept Report X Other X
Traffic citations issued: City Driver Claimant Pedestrian X
Citation disposition: City Driver Claimant Pedestrian

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 X 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 01-17-02
Committee Action: Council Action

RCS# 3453
2/18/02
2:38 PM

Atlanta City Council

Regular Session

CONSENT I

Except:0151; 0204; 0235; 0238; 0259;
0260; 0255; 0205; 0206; 0207; 0208

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	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV 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-O-0255
02-R-0204
02-R-0206
02-R-0235
02-R-0238**

CORRECTED COPY

02/18/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0151
2. 02-O-0162
3. 02-O-0239
4. 02-O-0188
5. 02-O-0189
6. 02-O-0269
7. 02-O-0259
8. 02-O-0260
9. 02-O-0154
10. 02-O-0156
11. 02-O-0157
12. 02-O-0158
13. 02-O-0148
14. 02-R-0201
15. 02-R-0202
16. 02-R-0236
17. 02-R-0205
18. 02-R-0207
19. 02-R-0208
20. 02-R-0195
21. 02-R-0196
22. 02-R-0234
23. 02-R-0241
24. 02-R-0210
25. 02-R-0211
26. 02-R-0212
27. 02-R-0213
28. 02-R-0214
29. 02-R-0215
30. 02-R-0216
31. 02-R-0217
32. 02-R-0218

**ITEMS ADVERSED ON
CONSENT AGENDA**

33. 02-R-0219
 34. 02-R-0220
 35. 02-R-0221
 36. 02-R-0222
 37. 02-R-0223
 38. 02-R-0224
 39. 02-R-0225
 40. 02-R-0226
 41. 02-R-0227
 42. 02-R-0228
 43. 02-R-0229
 44. 02-R-0230
 45. 02-R-0231
 46. 02-R-0232
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