

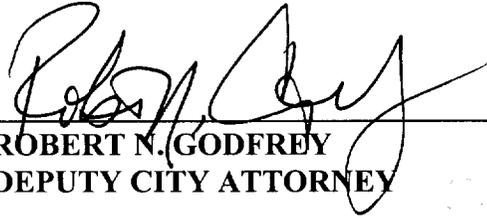
Entered - 01/24/02 - sb
CL02L0062 - DIANNE C. MITCHELL

CLAIM OF: **ROBIN WALDORF,**
through her attorney,
Jeffrey Flynn
1447 Peachtree Street, NE
Suite 414
Atlanta, Georgia 30309

02- R -0298

For damages alleged to have been sustained as a result of a vehicular accident on September 26, 2001 at Memorial Drive and Abernathy Street.

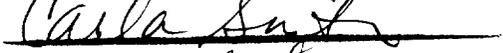
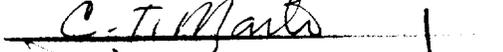
THIS ADVERSED REPORT IS APPROVED

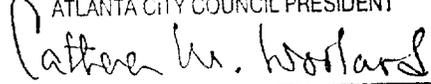
BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

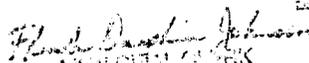
CITY AGENDA

ADVERSE REPORT

COMM: _____
DATE: _____
CHAIR: _____

_____ 
_____ 
_____ 
_____ 
_____ 
_____ 

CERTIFIED
MAR 04 2002
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
MAR 04 2002

MUNICIPAL CLERK

ADVERSED CITY COUNCIL MAR 04 2002



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

March 14, 2002

Jeffrey Flynn
Attorney at Law
1447 Peachtree St., NE
Suite 414
Atlanta, GA 30309

02-R-0298

RE: 02-R-0298

Dear Attorney Flynn:

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 March 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. 02L0062

Date: February 8, 2002

Claimant /Victim ROBIN WALDORF
BY: (Atty) Jeffrey Flynn
Address: 1447 Peachtree Street, NE, Suite 414, Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Bodily Injury \$ 10,000.00
Date of Notice: 12/20/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 09/26/01 Place: Memorial Drive and Abernathy Street
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured while riding on a bus owned by the Atlanta Board of Education. The Atlanta Board of Education is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised to pursue this claim directly with the Atlanta Board of Education.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 02-11-02
Committee Action: Council Action

RCS# 3550
3/04/02
1:31 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs.1-12;Except02-R-0348;02-R-0350;0380
02-R-0387;02-R-0347;02-O-0364;02-O-0249

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y 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-O-0364
02-O-0380
02-O-0249

CONSENT I

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 02-O-0370
2. 02-O-0155
3. 02-O-0200
4. 02-O-0243
5. 02-O-0374
6. 02-O-0371
7. 02-O-0372
8. 02-R-0348
9. 02-R-0350
10. 02-R-0387
11. 02-R-0199
12. 02-R-0209
13. 02-R-0353
14. 02-R-0367
15. 02-R-0383
16. 02-R-0386
17. 02-R-0327
18. 02-R-0328
19. 02-R-0329
20. 02-R-0330
21. 02-R-0331
22. 02-R-0333
23. 02-R-0334
24. 02-R-0339
25. 02-R-0325
26. 02-R-0326
27. 02-R-0345

**ITEMS ADOPTED
ON CONSENT
AGENDA**

28. 02-R-0203
29. 02-R-0365
30. 02-R-0315
31. 02-R-0316
32. 02-R-0317
33. 02-R-0318
34. 02-R-0319
35. 02-R-0320
36. 02-R-0321
37. 02-R-0322
38. 02-R-0323
39. 02-R-0284
40. 02-R-0285
41. 02-R-0286
42. 02-R-0287

**ITEMS ADVERSED
ON CONSENT
AGENDA**

43. 02-R-0288
44. 02-R-0289
45. 02-R-0290
46. 02-R-0291
47. 02-R-0292
48. 02-R-0293
49. 02-R-0294
50. 02-R-0295
51. 02-R-0296
52. 02-R-0297
53. 02-R-0298
54. 02-R-0299
55. 02-R-0301
56. 02-R-0302
57. 02-R-0303
58. 02-R-0304
59. 02-R-0305
60. 02-R-0306
61. 02-R-0307
62. 02-R-0308
63. 02-R-0309
64. 02-R-0310
65. 02-R-0311
66. 02-R-0312
67. 02-R-0313
68. 02-R-0314