

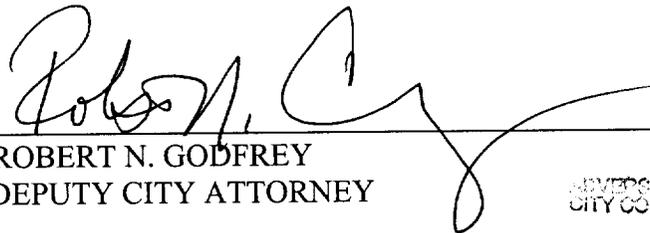
Entered - 3-21-02 - sb  
CL - 02L0251 ALEXIS HOLMES

CLAIM OF: **BRAZZ PHILIP EVANS, III**  
Through his attorney  
**Genevieve L. Frazier**  
401 Broad Street  
Suite 300  
Rome, Georgia 30162-0906

02-*R*-0795

For alleged personal injuries sustained as a result of a police arrest on  
September 28, 2001 at 6000 North Terminal Parkway.

THIS ADVERSE REPORT IS APPROVED

BY:   
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

INVESTIGATION  
CITY COURT MAY 20 2002

CONSENT AGENDA

**ADVERSE REPORT**

COMM: *Public Safety*

DATE: *5/15/02*

CHAIR: *[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

CERTIFIED  
MAY 20 2002  
MAYOR CITY COUNCIL PRESIDENT  
*Valter W. Woodard*

CERTIFIED  
MAY 20 2002  
*Randie Douglas Johnson*  
MUNICIPAL CLERK



## 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

May 31, 2002

Genevieve L. Frazier  
Attorney at Law  
401 Broad Street  
Suite 300  
Rome, Georgia 30162-0906

02-R-0795

RE: Brazz Philip Evans, III

Dear Attorney Frazier:

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 May 20, 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. 02L0251

Date: 04/22/02

Claimant /Victim BRAZZ PHILIP EVANS, III
BY: (Atty)(Ins.) Genevieve L. Frazier
Address: 401 Broad Street Suite 300 Rome, Georgia 30162-0906
Subrogation: Claim for Property damage \$ Bodily Injury \$ Unspecified
Date of Notice: 3/21/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)
Date of Occurrence 9/28/01 Place: 6000 North Terminal Parkway
Department Police Division: FOD Airport
Employee involved: Officer G.L Porter Disciplinary Action: Pending OPS Investigation

NATURE OF CLAIM: The claimant alleges that he sustained injuries during an arrest by a City of Atlanta police officer. The Office of Professional Standards is currently investigating the claimant's allegations. Furthermore, the City is immune from liability for the torts of its police officers engaged in their official duties as set forth under O.C.G.A. § 36-33-3.

INVESTIGATION:

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

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Advertise X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: Concur/date
Committee Action: Council Action

RCS# 3731  
5/20/02  
2:33 PM

Atlanta City Council

Regular Session

CONSENT I            PGS. 1-15: Except 02-O-0852; 02-R-0729

ADOPT

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

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

CONSENT I

CONSENT AGENDA MAY 20, 2002

ITEMS ADOPTED ON THE  
CONSENT AGENDA

02-R-0813      02-R-0753  
02-R-0812      02-R-0754  
02-R-0807      02-R-0755  
02-R-0805      02-R-0756  
02-R-0721      02-R-0757  
02-R-0504      02-R-0758  
02-R-0808      02-R-0759  
02-R-0708      02-R-0760  
02-R-0707      02-R-0761  
02-R-0882  
02-R-0881  
02-R-0809  
02-R-0798  
02-R-0797  
02-R-0732  
02-R-0706  
02-R-0724  
02-R-0802  
02-R-0888  
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02-R-0733  
02-R-0731  
02-R-0728  
02-R-0727  
02-O-0846  
02-O-0830  
02-O-0703  
02-O-0699  
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02-O-0606  
02-O-0605  
02-O-0833  
02-O-0601  
02-O-0488  
02-O-0836  
02-O-0845  
02-O-0844  
02-O-0843  
02-O-0835  
02-O-0834  
02-O-0603  
02-R-0735  
02-R-0752

ITEMS ADVERSED ON THE  
CONSENT AGENDA

02-R-0762  
02-R-0763  
02-R-0764  
02-R-0765  
02-R-0766  
02-R-0767  
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02-R-0792  
02-R-0793  
02-R-0794  
02-R-0795  
02-R-0796