

Entered -04-23-01 sb
CL 01L0256 - GWENDOLYN BURNS

CLAIM OF:

CLASSIC DESIGN SERVICES, INC. ⁰²⁻ ^R ⁻⁰⁹⁴²
125 Ottley Drive
Atlanta, Georgia 30324

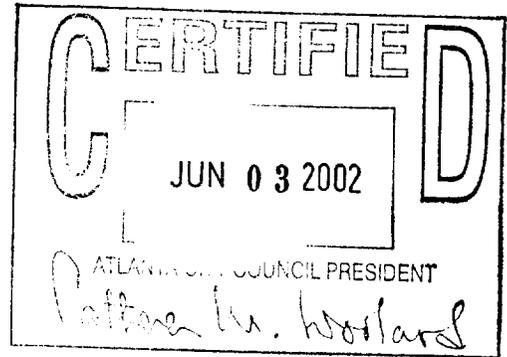
For vehicular damages sustained from driving over a pothole
on March 14, 2001 at 342 Armour Drive.

THIS ADVERSED REPORT IS
APPROVED

BY: *Robert N. Godfrey*
Robert N. Godfrey
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSE BY COUNCIL JUN 03



ADVERSE REPORT

COMM: *Public Safety*

DATE: *5/28/02*

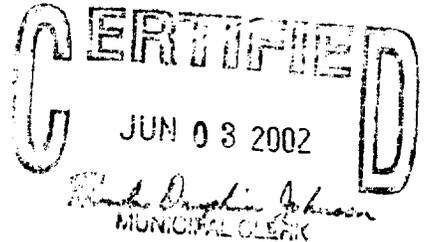
CHAIR: *[Signature]*

Natasha Archibald

[Signature]

[Signature]

[Signature]





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

June 7, 2002

Classic Design, Inc.
Attn: Andrew Ellison, III
125 Ottley Drive
Atlanta, GA 30324

02-R-0942

Dear Mr. Ellison:

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 claim at its regular meeting on June 3, 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.

Sincerely,


Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0256

Date: May 13, 2002

Claimant /Victim CLASSIC DESIGN SERVICES, INC.
BY: (Atty) (Ins. Co.)
Address: 125 Ottley Drive, Atlanta, Georgia 30324
Subrogation: Claim for Property damage \$ 141.91 Bodily Injury \$ 15,000.00
Date of Notice: 4/4/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/14/01 Place: 342 Armour Drive @ Marta Overpass
Department PUBLIC WORKS Division Street
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that its vehicle sustained damage when it was driven over a pothole that was located in the roadway. However, an investigation determined that the City did not have any complaints or notice of the street defect prior to claimant's incident.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
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 Ministerial X
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01
Claims Manager: Concur/date 05-15-02
Committee Action: Council Action

RCS# 3776
6/03/02
2:19 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; Except 02-R-0974; 02-O-0952

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell
B 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-0952

**06/03/02 Council
Meeting**

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS
ADVERSED
ON CONSENT
AGENDA**

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3. 02-O-0694	36. 02-R-0896	59. 02-R-0926
4. 02-O-0854	37. 02-R-0897	60. 02-R-0927
5. 02-O-0709	38. 02-R-0898	61. 02-R-0928
6. 02-O-0710	39. 02-R-0903	62. 02-R-0929
7. 02-O-0711	40. 02-R-0950	63. 02-R-0930
8. 02-O-0712	41. 02-R-0968	64. 02-R-0931
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10. 02-O-0714	43. 02-R-0910	66. 02-R-0933
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16. 02-O-0720	49. 02-R-0916	72. 02-R-0939
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18. 02-O-0959	51. 02-R-0918	74. 02-R-0941
19. 02-O-0962	52. 02-R-0919	75. 02-R-0942
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22. 02-O-0730	55. 02-R-0922	78. 02-R-0945
23. 02-O-0958	56. 02-R-0923	79. 02-R-0946
24. 02-O-0961		80. 02-R-0947
25. 02-R-0894		
26. 02-R-0948		
27. 02-R-0949		
28. 02-R-0905		
29. 02-R-0906		
30. 02-R-0904		
31. 02-R-0954		
32. 02-R-0974		
33. 02-R-0801		
