

Entered - 05/08/02 - sb
CL02L0326 - DIANNE C. MITCHELL

02-R-0981

CLAIM OF: **DIRECT INSURANCE COMPANY AS SUBROGEE
OF ELIZABETH COWLEY,**
through their attorney,
R. K. White
750 Old Hickory Boulevard, Suite 220
Brentwood, Tennessee 37027-4528

ADOPTED BY

JUN 17 2002

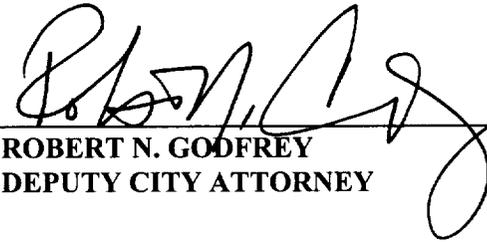
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on February 5, 2002 at 1325 White Street, SW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **DIRECT INSURANCE COMPANY AS SUBROGEE OF ELIZABETH COWLEY, through their attorney, R. K. White** the sum of \$2,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on February 5, 2002 at 1325 White Street, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: **ROSALIND RUBENS NEWELL**
INTERIM CITY ATTORNEY

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: Public Safety

DATE: 6/14/02

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

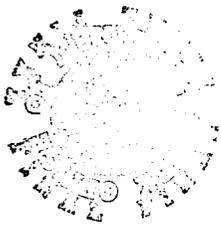
[Signature]

Carla Smith

CERTIFIED
JUN 17 2002
Rosalind Rubens Newell
MUNICIPAL CLERK

CERTIFIED
JUN 17 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

APPROVED
[Signature]
JUN 20 2002
MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

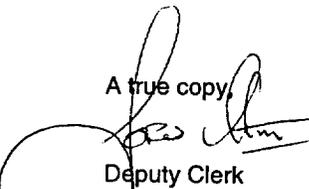
02-R-0981

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment **Direct Insurance Company as subrogee of Elizabeth Cowley, through their attorney, R.K. White** to in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as **a result of a vehicular accident on February 5, 2002 at 1325 White Street, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,


Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

JUN 17, 2002
JUN 20, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0326

Date: May 28, 2002

Claimant /Victim DIRECT INSURANCE COMPANY AS SUBROGEE OF ELIZABETH COWLEY

BY: (Atty) R. K. White

Address: 750 Old Hickory Boulevard, Suite 220, Brentwood, Tennessee 27027-4528

Subrogation: Claim for Property damage \$ 3,088.90 Bodily Injury \$

Date of Notice: 04/25/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/05/02 Place: 1325 White Street, SW

Department Police Division:

Employee involved Corey Grogan Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle failed to stop at a red light and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver X Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved Offer rejected Compromise settlement X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

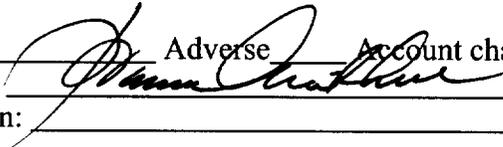
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01 2P01

Claims Manager:  Concur/date 05-28-02

Committee Action: Council Action

ADAIR, SCHUERMAN & WHITE

An Association of Attorneys
Brentwood Commons One, Suite 220
750 Old Hickory Boulevard
Brentwood, Tennessee 37027-4528

(615) 309-0400
(800) 831-9785
Fax (615) 309-0404

ENTERED - 5-8-02 - SB
02L0326 - DIANNE MITCHELL

M. Mitchell
05/03/02
Du
* Professional Corporation
^ also licensed in Mississippi
~ licensed in Louisiana only
Certified Civil Trial Advocate
by the Tennessee Commission
on Continuing Legal Education &
Specialization and the National Board
of Trial Advocacy
+ PLLP

Tammy R. Adair **
Paul L. Burson
Sue Buser *-
Kim Landry ~
Jerry M. Martin +
Scott A. Rhodes
Kimberly B. Schuerman *
Bret T. Walsh *-
R. Kreis White #+
John D. Willett

Nashville, Memphis, Knoxville & Baton Rouge

April 24, 2002

City of Atlanta Police
ATTN: Major Knox
1125 Cascade Circle
Atlanta, GA 30311

▲
APR 25 2002
RECEIVED

2-4

RE: Our Insured: Elizabeth Cowley
Our Claim No.: 490407
Your Insured: Corey Grogan
Your Claim No.: unknown
Date of Loss: 2/5/02

Dear Major Knox:

This office has been retained by Direct Insurance Company to protect its subrogation interest under the above insured's policy.

Enclosed please find the documents that support payments made under Elizabeth Cowley's collision coverage. The total claim is \$3,088.90, which does include the \$750.00 deductible. Please review the documents and forward a check made payable to Direct Insurance Company as subrogee of Elizabeth Cowley. Please mail your check to **R.K. White, Esq., Brentwood Commons One, Suite 220, 750 Old Hickory Boulevard, Brentwood, TN 37027.**

Please feel free to contact our office if you have any questions. Thank you for your attention to this claim.

Sincerely,

R. K. White

R.K. White
Attorney at Law

RKW:lap

Enclosures

06/17/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0973
2. 02-O-1036
3. 02-O-0908
4. 02-O-0909
5. 02-O-0956
6. 02-O-1029
7. 02-O-1043
8. 02-R-1000
9. 02-R-1001
10. 02-R-1002
11. 02-R-1003
12. 02-R-1016
13. 02-R-1033
14. 02-R-0676
15. 02-R-1018
16. 02-R-1019
17. 02-R-1069
18. 02-R-1070
19. 02-R-1030
20. 02-R-0978
21. 02-R-0979
22. 02-R-0980
23. 02-R-0981
24. 02-R-0982
25. 02-R-0983
26. 02-R-0984
27. 02-R-0985
28. 02-R-0986

**ITEMS ADVERSED ON
CONSENT AGENDA**

29. 02-R-0987
30. 02-R-0988
31. 02-R-0989
32. 02-R-0990
33. 02-R-0991
34. 02-R-0992
35. 02-R-0993
36. 02-R-0994
37. 02-R-0995
38. 02-R-0996
39. 02-R-0997
40. 02-R-0998
41. 02-R-0999