

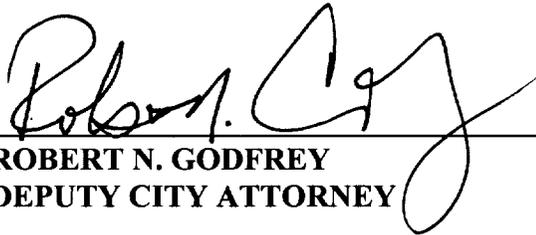
Entered - 05/20/02 - sb  
CL02L0353 - DIANNE C. MITCHELL

CLAIM OF: **KELVIN DAVIDSON**  
**1780 Brookhaven Trace**  
**Atlanta, Georgia 30319**

02-R-1078

For damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on May 3, 2002 at 6189 Roswell Road.

THIS ADVERSED REPORT IS APPROVED

BY:   
**ROBERT N. GODFREY**  
**DEPUTY CITY ATTORNEY**

**ADVERSE REPORT**

COMM: P.S. + W.A.

DATE: JUN 25 2002

CHAIR: 





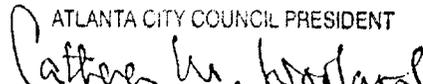
C. T. Martin

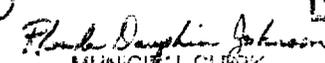
Harold Shuff

Carla Smith

**CERTIFIED**  
JUL 01 2002  
ATLANTA CITY COUNCIL PRESIDENT  


**CERTIFIED**  
JUL 01 2002  
  
MUNICIPAL CLERK

ADVERSED BY CITY COUNCIL JUL 01



## 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

July 11, 2002

Kelvin Davidson  
1780 Brookhaven Trace  
Atlanta, Georgia 30319

02-R-1078

Dear Mr. Davidson:

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 July 1, 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. 02L0353

Date: June 6, 2002

Claimant /Victim KELVIN DAVIDSON

BY: (Atty)(Ins. Co.)

Address: 1780 Brookhaven Trace, Atlanta, Georgia 30319

Subrogation: Claim for Property damage \$ 854.40 Bodily Injury \$

Date of Notice: 05/15/02 Method: Written, proper X Improper

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

Date of Occurrence 05/03/02 Place: 6189 Roswell Road

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that his vehicle was damaged when he drove over a pothole at the above location. The investigation determined that the location where the incident occurred is outside the Atlanta City limits and on a State highway. The claimant has been advised to pursue her claim with the Georgia Department of Transportation.

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,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager: [Signature] Concur/date 06-06-02

Committee Action: Council Action



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**07/01/02 Council  
Meeting**

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS  
ADVERSE  
ON CONSENT  
AGENDA**

1. 02-O-0718
2. 02-O-1021
3. 02-O-1022
4. 02-O-1119
5. 02-O-1142
6. 02-O-0602
7. 02-O-1013
8. 02-O-1148
9. 02-O-0864
10. 02-O-1017
11. 02-O-1020
12. 02-R-1143
13. 02-R-1104
14. 02-R-1120
15. 02-R-1121
16. 02-R-1122
17. 02-R-0470
18. 02-R-0810
19. 02-R-1182
20. 02-R-1118
21. 02-R-1146
22. 02-R-1177
23. 02-R-1179
24. 02-R-1101
25. 02-R-1102
26. 02-R-1103
27. 02-R-1145
28. 02-R-1134
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35. 02-R-1075
36. 02-R-1124
37. 02-R-1125
38. 02-R-1126

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  64. 02-R-1128
  65. 02-R-1129
  66. 02-R-1130
  67. 02-R-1131
  68. 02-R-1132
  69. 02-R-1133
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