

Entered 01-15-02 - sb  
CL 02L0040 - GWENDOLYN BURNS

02- R-1080

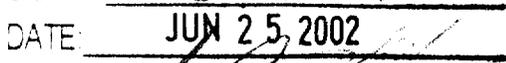
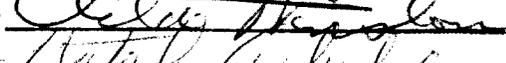
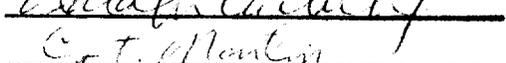
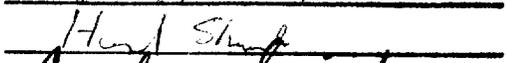
**CLAIM OF: MARGARITA TSELESIN**  
2900 Lookout Place, NE  
Atlanta, Georgia 30305

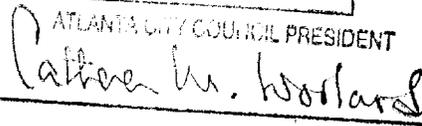
For property damages alleged to have been  
sustained from a sewer backup on December 11,  
2001 at 2900 Lookout Place, NE.

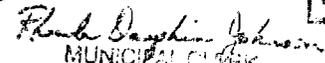
THIS ADVERSED REPORT IS  
APPROVED

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

**ADVERSE REPORT**

COMM: P.S. & K.A.  
DATE: JUN 25, 2002  
CHAIR:   
  
  
  
  
  
\_\_\_\_\_  
\_\_\_\_\_

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


**CERTIFIED**  
JUL 01 2002  
  
MUNICIPAL CLERK

CITY SOURCE 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

Margarita Tselesin  
2900 Lookout Place, NE  
Atlanta, Georgia 30305

02-R-2080

Dear Ms. Tselesin:

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. 02L0040

Date: May 24, 2002

Claimant /Victim MARGARITA TSELESIN
BY: (Atty) (Ins. Co.)
Address: 2900 Lookout Place, NE, Atlanta, Georgia 30305
Subrogation: Claim for Property damage \$ unspecified Bodily Injury \$
Date of Notice: 12/20/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/11/01 Place: 2900 Lookout Place, NE
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained property damage to her home from a sanitary sewer back up. However, an investigation determined that the City did not have a record of the service call on the date of claimant's incident or notice of a problem prior to the date of 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 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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01
Claims Manager: Concur/date 05-28-02
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  
ADVERSED  
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
29. 02-R-1135
30. 02-R-1136
31. 02-R-1176
32. 02-R-1072
33. 02-R-1073

34. 02-R-1074
35. 02-R-1075
36. 02-R-1124
37. 02-R-1125
38. 02-R-1126

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  41. 02-R-1078
  42. 02-R-1079
  43. 02-R-1080
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  63. 02-R-1127
  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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