

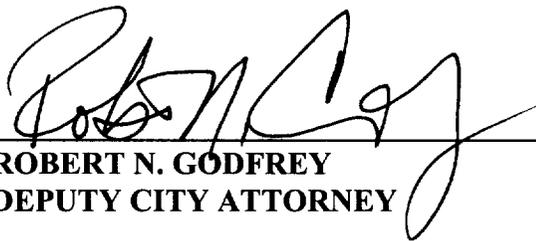
02-*R*-1083

Entered - 05/20/02 - sb
CL02L0351 - DIANNE C. MITCHELL

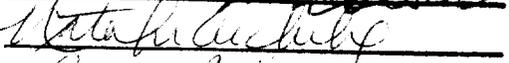
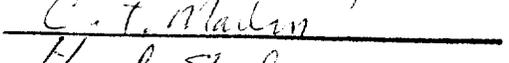
CLAIM OF: **CHRISTOPHER AND REBECCA CHILDS**
3601 Hampstead Lane
Roswell, Georgia 30075

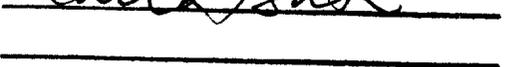
For damages alleged to have been sustained as a result of vehicular damage due driving over an metal construction plate in the roadway on January 31, 2002 at 5095 Roswell Road.

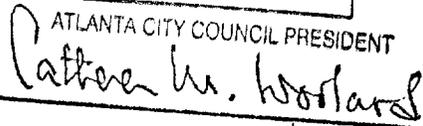
THIS ADVERSED REPORT IS APPROVED

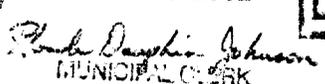
BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSE REPORT

COMM. P.S.T.L.A.
DATE JUN 25 2002
CHAIR 





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

Christopher & Rebecca Childs
3601 Hampstead Lane
Roswell, Georgia 30075

02-R-1083

Dear Mr. & Nrs. Childs:

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. 02L0351

Date: June 3, 2002

Claimant /Victim CHRISTOPHER AND REBECCA CHILDS

BY: (Atty)(Ins. Co.)

Address: 3601 Hampstead Lane, Roswell, Georgia 30075

Subrogation: Claim for Property damage \$ 4,039.74 Bodily Injury \$

Date of Notice: 05/08/02 Method: Written, proper X Improper

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

Date of Occurrence 01/31/02 Place: 5095 Roswell Road

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants allege that their vehicle was damaged when it was driven over a metal plate in the roadway. The investigation determined that the Atlanta Gas Light Company was responsible for the work in the roadway at this location. The claimants have been advised to pursue their claim with Atlanta Gas Light Company.

INVESTIGATION:

Statements: City employee Claimant Others X Written Oral X

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

07/01/02 Council Meeting

**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

39. 02-R-1076
 40. 02-R-1077
 41. 02-R-1078
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 43. 02-R-1080
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 66. 02-R-1130
 67. 02-R-1131
 68. 02-R-1132
 69. 02-R-1133
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