

Entered 05-20-02 - sb
CL 02L0359 - GWENDOLYN BURNS

02-R-1087

CLAIM OF: LINDA SAUNDERS
184 McBride Road
Fayetteville, Georgia 30215

For vehicular damages sustained from an automobile
accident on December 22, 2001 at 3393 Peachtree
Road, NE.

THIS ADVERSED REPORT IS
APPROVED

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

ADVERSE REPORT

COMM: P.S.T.A.

DATE: JUN 25 2002

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CERTIFIED
JUL 01 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

CERTIFIED
JUL 01 2002
Renee Daughlin Johnson
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

Linda Saunders
184 McBride Road
Fayetteville, Georgia 30215

02-R-1087

Dear Ms. Saunders:

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. 02L0359

Date: June 11, 2002

Claimant /Victim LINDA SAUNDERS
BY: (Atty) (Ins. Co.)
Address: 184 McBride Road, Fayetteville, Georgia 30215
Subrogation: Claim for damage \$ 506.50 Bodily Injury \$
Date of Notice: 5/8/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/22/01 Place: 3393 Peachtree Road, NE
Department POLICE Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained vehicular damage when she followed the instructions of a police officer and attempted to drive through an area in the parking lot of the above location and inadvertently struck a parked vehicle. However, a municipal corporation shall not be liable for the torts of policemen or other officers engaged in the discharge of the duties imposed on them by law as set forth in O.C.G.A. Section 36-33-3.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other X
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 X 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 06-12-02
Committee Action Council Action

07/01/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

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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
 42. 02-R-1079
 43. 02-R-1080
 44. 02-R-1081
 45. 02-R-1082
 46. 02-R-1083
 47. 02-R-1084
 48. 02-R-1085
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 62. 02-R-1099
 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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