

Entered 05-20-02 - sb  
CL 01L0363 - GWENDOLYN BURNS

02-*R*-1089

**CLAIM OF: RISA GOLDBERG**  
1001 Gardenvue Drive, #122  
Atlanta, Georgia 30319

For vehicular damages sustained from driving over a  
pothole in the road on January 22, 2002 at 1277  
Lenox Park Boulevard.

THIS ADVERSED REPORT IS  
APPROVED

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

**ADVERSE REPORT**

COMM: *P.S. & L.A.*  
DATE: *JUN 25 2002*  
CHAIR: *[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

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

**CERTIFIED**  
JUL 01 2002  
*Flora Benjamin Johnson*  
MUNICIPAL CLERK



## 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

Risa Goldberg  
1001 Gardenvieew Drive  
Apartment 122  
Atlanta, Georgia 30319

02-R-1089

Dear Ms. Goldberg:

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 RISA GOLDBERG
BY: (Atty) (Ins. Co.)
Address: 1001 Gardenview Drive, #122, Atlanta, Georgia 30319
Subrogation: Claim for Property damage \$ 482.32 Bodily Injury \$
Date of Notice: 5/10/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/22/02 Place: 1277 Lenox Park Boulevard, NE
Department PUBLIC WORKS Division Street
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage from driving over a pothole that was located in the roadway. An investigation determined that the location of the street defect falls outside the City's jurisdiction and into DeKalb County. The claimant has been so advised and her claim has been forwarded to the appropriate authority.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X
Improper Notice More than Six Months Other X 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,

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



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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
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
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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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