

Entered - 02/13/02 - sb
CL02L0125 - DIANNE C. MITCHELL

CLAIM OF: **DOO DROP INN PACKAGE STORE,**
through its attorney,
Maureen G. Malone
1095 Avon Avenue, SW
Atlanta, Georgia 30310

02-R-1095

For damages alleged to have been sustained as a result of property damage during the construction of the Hollywood Road Bridge during 2001 at 1437 Hollywood Road, NW.

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]*
Clara M. [Signature]
Natasha [Signature]
C. T. [Signature]
Paul [Signature]
Carla [Signature]

CERTIFIED
JUL 01 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. [Signature]

CERTIFIED
JUL 01 2002
Flora [Signature]
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 15, 2002

Maureen G. Malone
Attorney at Law
1095 Avon Ave., SW
Atlanta, Georgia 30310

02-R-1095

RE: Doo Drop INN Package Store

Dear Attorney Malone:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's 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.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0124

Date: June 12, 2002

Claimant /Victim DOO DROP INN PACKAGE STORE
BY: (Atty) Maureen G. Malone
Address: 1095 Avon Avenue, SW, Atlanta, Georgia 30310
Subrogation: Claim for Property damage \$ 6,290.41 Bodily Injury \$
Date of Notice: 02/07/02 Method: Written, proper x Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2001 Place: 1437 Hollywood Road, NW
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges its business was damaged during the construction of the Hollywood Road bridge during 2001. The investigation determined that the construction was performed by a contractor, Bellamy Brothers, working for the Georgia Department of Transportation. The claimant has been advised to pursue its claim with the contractor.

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 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 06-12-02
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
 42. 02-R-1079
 43. 02-R-1080
 44. 02-R-1081
 45. 02-R-1082
 46. 02-R-1083
 47. 02-R-1084
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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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