

Entered - 05-01-02- sb  
CL - 02L0317 ALEXIS HOLMES

02-*R*-1096

**CLAIM OF: NATIONAL CASUALTY COMPANY**

**As Subrogee of**  
Willennium Transportation Service (DBA)  
William Platt  
8877 North Gainey Center Drive  
Scottsdale, Arizona 85258

For personal injuries alleged to have been sustained as a result of a  
cave-in in the roadway on February 19, 2002 at 235 Farrington  
Avenue, SE.

THIS ADVERSE 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]*

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

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

ADVISED 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

National Casualty Company  
as subrogee of  
Willennium Transportation Service (DBA)  
William Platt  
8877 North Gainey Center Drive  
Scottsdale, Arizona 85258

02-R-1096

Dear Mr. Platt:

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. 02L0317

Date: 06/12/02

Claimant /Victim NATIONAL CASUALTY COMPANY AS SUBROGEE OF
BY: (Ins.) WILLIENNIUM TRANSPORTATION SERVICES (DBA) WILLIAM PLATT .
Address: 8877 North Gainey Center Drive Scottsdale, Arizona 85258
Subrogation: X Claim for Property damage \$ 2,567.80 Bodily Injury \$
Date of Notice: 04/30/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/19/02 Place: 235 Farrington Avenue, SE
Department Public Works Division: Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant sustained vehicular damages when the claimant's vehicle was damaged when the roadway caved in. However, the investigation determined that the roadway collapse was due to a collapse in a sewer line that the City did not have notice of prior to the claimant's incident. The City has taken the necessary steps to repair the sewer line and the roadway.

INVESTIGATION:

Statements: City employee Claimant X Other X Written X Oral
Pictures X Diagrams Reports: Police X Dept Report X Other
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 Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay Adverse X Account charged: 1A01 2J01 2H01 2P01
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  
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
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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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