

Entered - 05-01-02- sb
CL - 02L0316 ALEXIS HOLMES

CLAIM OF: YVONNE CRAINE,
Through her Attorney
Bruce Hagen
230 Peachtree Street
Suite 2660
Atlanta, Georgia 30303

02-R -1099

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

A.DVERSE REPORT

COMM: P.S. + L.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
Flora Dargatzis 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 15, 2002

Bruce Hagen
Attorney at Law
230 Peachtree Street
Suite 2660
Atlanta, Georgia 30303

02-R-1099

RE: Yvonne Craine

Dear Attorney Hagen:

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. 02L0316

Date: 06/12/02

Claimant /Victim YVONNIE CRAIN.
BY: (Atty) Bruce A. Hagen
Address: 230 Peachtree Street, NW Suite 2660 Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ Unspecified
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 alleges she sustained personal injuries when the vehicle in which she was riding was driven over a cave-in in the road. 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 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

		07/01/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSESED ON CONSENT AGENDA
1. 02-O-0718	34. 02-R-1074	39. 02-R-1076
2. 02-O-1021	35. 02-R-1075	40. 02-R-1077
3. 02-O-1022	36. 02-R-1124	41. 02-R-1078
4. 02-O-1119	37. 02-R-1125	42. 02-R-1079
5. 02-O-1142	38. 02-R-1126	43. 02-R-1080
6. 02-O-0602		44. 02-R-1081
7. 02-O-1013		45. 02-R-1082
8. 02-O-1148		46. 02-R-1083
9. 02-O-0864		47. 02-R-1084
10. 02-O-1017		48. 02-R-1085
11. 02-O-1020		49. 02-R-1086
12. 02-R-1143		50. 02-R-1087
13. 02-R-1104		51. 02-R-1088
14. 02-R-1120		52. 02-R-1089
15. 02-R-1121		53. 02-R-1090
16. 02-R-1122		54. 02-R-1091
17. 02-R-0470		55. 02-R-1092
18. 02-R-0810		56. 02-R-1093
19. 02-R-1182		57. 02-R-1094
20. 02-R-1118		58. 02-R-1095
21. 02-R-1146		59. 02-R-1096
22. 02-R-1177		60. 02-R-1097
23. 02-R-1179		61. 02-R-1098
24. 02-R-1101		62. 02-R-1099
25. 02-R-1102		63. 02-R-1127
26. 02-R-1103		64. 02-R-1128
27. 02-R-1145		65. 02-R-1129
28. 02-R-1134		66. 02-R-1130
29. 02-R-1135		67. 02-R-1131
30. 02-R-1136		68. 02-R-1132
31. 02-R-1176		69. 02-R-1133
32. 02-R-1072		
33. 02-R-1073		