



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

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SECOND FLOOR, EAST
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ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

August 20, 2002

Johnny Brown
683 Tara Circle
Atlanta, GA 30354

02-R-1321

Dear Mr. Brown:

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 August 19, 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. 02L0304

Date: July 15, 2002

Claimant /Victim JOHNNY BROWN

BY: (Atty)(Ins. Co.) _____

Address: 683 Tara Circle, Atlanta, Georgia 30354

Subrogation: _____ Claim for Property damage \$ 900.00 Bodily Injury \$ _____

Date of Notice: 04/22/02 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) _____

Date of Occurrence 04/04/02 Place: 683 Tara Circle

Department Public Works Division: Solid Waste Services

Employee involved Dexter L. McHenry Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges his vehicle was damaged due to a vehicular accident with a City employee. However, the claimant has failed to furnish information necessary to substantiate his claim.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver X Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

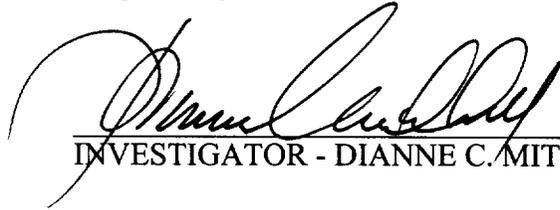
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

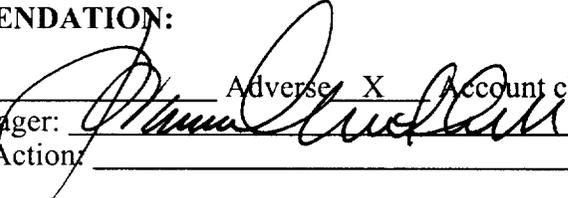
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 07-16-02

Committee Action: _____ Council Action _____

08/19/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 02-O-1181
2. 02-O-1221
3. 02-O-1222
4. 02-O-1282
5. 02-O-1300
6. 02-O-1245
7. 02-O-1293
8. 02-O-1294
9. 02-O-1223
10. 02-O-1220
11. 02-O-1289
12. 02-O-1291
13. 02-O-1273
14. 02-O-1224
15. 02-O-1232
16. 02-O-1233
17. 02-O-1287
18. 02-R-1362
19. 02-R-1283
20. 02-R-1288
21. 02-R-1334
22. 02-R-1279
23. 02-R-1331
24. 02-R-1332
25. 02-R-1333
26. 02-R-1338
27. 02-R-1349
28. 02-R-1350
29. 02-R-1348
30. 02-R-1303
31. 02-R-1304
32. 02-R-1305
33. 02-R-1306

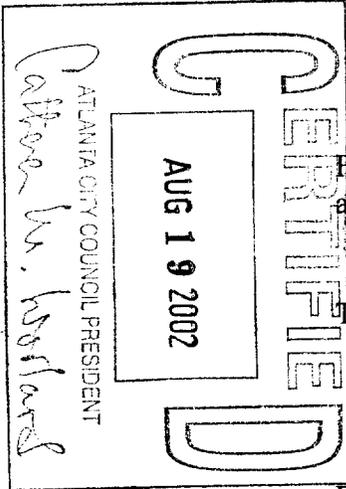
34. 02-R-1307
35. 02-R-1308
36. 02-R-1309
37. 02-R-1310
38. 02-R-1311
39. 02-R-1312
40. 02-R-1313
41. 02-R-1314
42. 02-R-1315
43. 02-R-1316
44. 02-R-1317
45. 02-R-1318
46. 02-R-1319
47. 02-R-1320
48. 02-R-1321
49. 02-R-1322
50. 02-R-1323
51. 02-R-1324
52. 02-R-1325
53. 02-R-1326
54. 02-R-1327
55. 02-R-1328
56. 02-R-1329
57. 02-R-1330

1st Consent I Vote: 13Yeas; 0 Nays (See RCS #3910)
Items Removed from Consent: 02-O-1290; 02-O-1213; 02-R-1345; 02-O-1272

Entered - 05/01/02 - sb
CL02L0304 - DIANNE C. MITCHELL

CLAIM OF: **JOHNNY BROWN**
683 Tara Circle
Atlanta, Georgia 30354

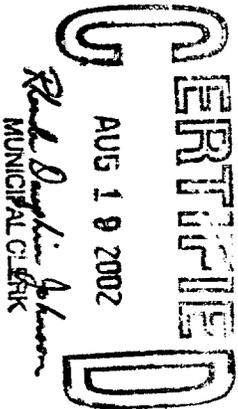
02-*l*-1321



For damages alleged to have been sustained as a result of a vehicular accident on April 4, 2002 at 683 Tara Circle.

THIS ADVERSED REPORT IS APPROVED

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



ADVERSED BY AUG 19 2002

ADVERSE REPORT

COMM: *P.S.L.A.*

DATE: *7/30/02*

CHAIR: *Vice chair C. T. Martin*
Natalie Acetich
[Signature]
Carla Sutz