

Entered - 08/15/02 - sb
CL02L0538 - DIANNE C. MITCHELL

CLAIM OF: ALICE BOOKER
190 Lawshe Street, SW
#193
Atlanta, Georgia 30314

02-R-1514

For damages alleged to have been sustained as a result of vehicular damage due to a pothole August 14, 2002 on Commerce Drive between West Ponce de Leon and Clairmont Road.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

APPROVED SEP 16 2002

ADVERSE REPORT

PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 9/16/02

CHAIR: _____

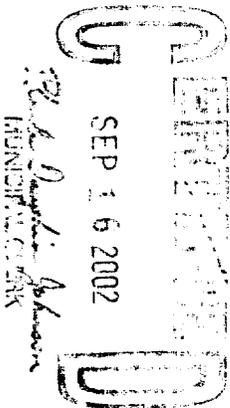
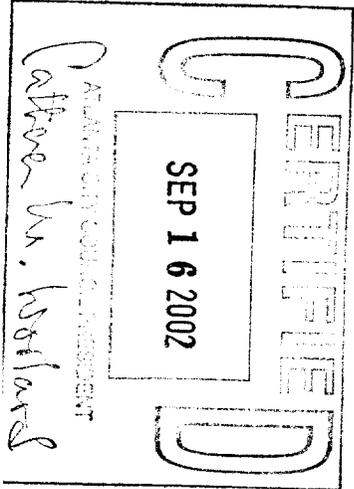
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C. T. [Signature]

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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

September 19, 2002

Alice Booker
190 Lawshe St., SW
Apartment 193
Atlanta, GA 30314

02-R-1514

Dear Ms. Booker:

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 September 16, 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. 02L0565

Date: August 22, 2002

Claimant /Victim ALICE BOOKER

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

Address: 190 Lawshe Street, SW, #193, Atlanta, Georgia 30314

Subrogation: _____ Claim for Property damage \$ 1,347.00 Bodily Injury \$ _____

Date of Notice: 08/13/02 Method: Written, proper Improper _____

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

Date of Occurrence 08/04/02 Place: Commerce Drive between West Ponce de Leon and Clairmont Road

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove over a pothole. The investigation determined that the location where the incident occurred is outside the Atlanta City limits. The claimant has been advised to pursue her claim with the City of Decatur and/or DeKalb County.

INVESTIGATION:

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

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ 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 Offer rejected _____ Compromise settlement _____

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

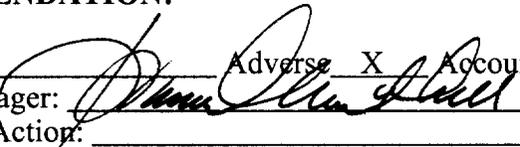
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 08-23-02

Committee Action: _____ Council Action _____

09/16/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

- | | | |
|---------------|---------------|---------------|
| 1. 02-O-1453 | 43. 02-R-1509 | 45. 02-R-1502 |
| 2. 02-O-1586 | 44. 02-R-1510 | 46. 02-R-1503 |
| 3. 02-O-1496 | | 47. 02-R-1504 |
| 4. 02-O-1389 | | 48. 02-R-1505 |
| 5. 02-O-1390 | | 49. 02-R-1506 |
| 6. 02-O-0791 | | 50. 02-R-1511 |
| 7. 02-O-1258 | | 51. 02-R-1512 |
| 8. 02-O-1298 | | 52. 02-R-1513 |
| 9. 02-O-1391 | | 53. 02-R-1514 |
| 10. 02-O-1395 | | 54. 02-R-1515 |
| 11. 02-O-1450 | | 55. 02-R-1516 |
| 12. 02-R-1535 | | 56. 02-R-1517 |
| 13. 02-R-1541 | | 57. 02-R-1518 |
| 14. 02-R-1546 | | 58. 02-R-1519 |
| 15. 02-R-1526 | | 59. 02-R-1520 |
| 16. 02-R-1527 | | 60. 02-R-1521 |
| 17. 02-R-1528 | | 61. 02-R-1522 |
| 18. 02-R-1529 | | 62. 02-R-1523 |
| 19. 02-R-1530 | | 63. 02-R-1524 |
| 20. 02-R-1531 | | 64. 02-R-1525 |
| 21. 02-R-1532 | | |
| 22. 02-R-1560 | | |
| 23. 02-R-1561 | | |
| 24. 02-R-1615 | | |
| 25. 02-R-1563 | | |
| 26. 02-R-1564 | | |
| 27. 02-R-1565 | | |
| 28. 02-R-1566 | | |
| 29. 02-R-1568 | | |
| 30. 02-R-1569 | | |
| 31. 02-R-1570 | | |
| 32. 02-R-1572 | | |
| 33. 02-R-1573 | | |
| 34. 02-R-1574 | | |
| 35. 02-R-1487 | | |
| 36. 02-R-1533 | | |
| 37. 02-R-1557 | | |
| 38. 02-R-1558 | | |
| 39. 02-R-1559 | | |
| 40. 02-R-1616 | | |
| 41. 02-R-1507 | | |
| 42. 02-R-1508 | | |

Consent I Vote: 14Yeas; 0 Nays (See RCS #3984)

Items Removed from Consent: 02-O-1591; 02-O-1592; 02-R-1589; 02-O-1540; 02-R-1542