Entered - 07/19/02 - sb
CL02L0502 - DIANNE C. MITCHELL

CLAIM OF: **LARRY J. FERRELL,**
through his attorney,
James D. Hollingsworth
6044 S. Norcross-Tucker Road
Norcross, Georgia 30093

02-R-1761

CERTIFIED
OCT 21 2002
MUNICIPAL CLERK

For damages alleged to have been sustained as a result of a vehicular accident on October 30, 2001 at Courtland Avenue and Ellis Street.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **METLIFE AUTO AND HOME AS SUBROGEE OF LARRY J. FERRELL** the sum of **$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on October 30, 2001 at Courtland Avenue and Ellis Street as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

ADOPTED BY
COUNCIL
OCT 21 2002

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
COMM: Public Safety
DATE: 10/15/02
CHAIR:

APPROVED
OCT 28 2002
MAYOR

CERTIFIED
OCT 21 2002
ATLANTA CITY COUNCIL PRESIDENT

MUNICIPAL CLERK
ATLANTA, GEORGIA

02-R-1761

A RESOLUTION

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment **Larry J. Ferrell, through his attorney, James D. Hollingsworth** to in the sum of **$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as **a result of a vehicular accident on October 30, 2001 at Courtland Avenue and Ellis Street** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council OCT 21, 2002
APPROVED by the Mayor OCT 28, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **02L0502** Date: September 30, 2002

Claimant /Victim **LARRY J. FERRELL**
BY:(Atty.) James D. Hollingsworth
Address: 6044 S. Norcross-Tucker Road, Norcross, Georgia 30093
Subrogation: _____ Claim for Property damage $ _____ Bodily Injury $ **5,000.00**
Date of Notice: 04/29/02 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/30/01 Place: Courtland Avenue and Ellis Street
Department **Public Works** Division: **Street Operations**
Employee involved John Francis Westerfield Disciplinary Action: 20 Day Suspension

NATURE OF CLAIM: The driver of the City vehicle was following too closely and rear ended the claimant's vehicle causing him to be injured.

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 X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay $ **2,000.00** Adverse Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager: _____ Concur/date 09-30-02
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 4102
10/21/02
2:12 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; Except 02-o-1643; 02-O-1795
02-R-1803; 02-R-1729
ADOPT

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

ITEMS ADOPTED ON CONSENT AGENDA

1. 02-O-1368
2. 02-O-1710
3. 02-O-1674
4. 02-O-1645
5. 02-O-1646
6. 02-O-1647
7. 02-O-1648
8. 02-O-1672
9. 02-O-1726
10. 02-O-1728
11. 02-O-1776
12. 02-O-1779
13. 02-O-1781
14. 02-O-1783
15. 02-O-1790
16. 02-O-1791
17. 02-O-1661
18. 02-O-1793
19. 02-O-1584
20. 02-O-1636
21. 02-O-1788
22. 02-R-1176
23. 02-R-1736
24. 02-R-1737
25. 02-R-1745
26. 02-R-1769
27. 02-R-1716
28. 02-R-1740
29. 02-R-1735
30. 02-R-1797
31. 02-R-1800
32. 02-R-1663
33. 02-R-1780
34. 02-R-1802
35. 02-R-1588
36. 02-R-1773
37. 02-R-1787
38. 02-R-1799
39. 02-R-1760
40. 02-R-1761
41. 02-R-1762
42. 02-R-1763
43. 02-R-1764
44. 02-R-1765
45. 02-R-1766
46. 02-R-1767
47. 02-R-1768

ITEMS ADVERSED ON CONSENT AGENDA

48. 02-R-1746
49. 02-R-1747
50. 02-R-1748
51. 02-R-1749
52. 02-R-1750
53. 02-R-1751
54. 02-R-1752
55. 02-R-1753
56. 02-R-1754
57. 02-R-1755
58. 02-R-1756
59. 02-R-1757
60. 02-R-1758
61. 02-R-1759
62. 02-R-1366

Consent I Vote: 12 Yeas; 0 Nays (See RCS #4102)

Items Removed from Consent: 02-O-1643; 02-O-1795; 02-R-1803; 02-R-1729