



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

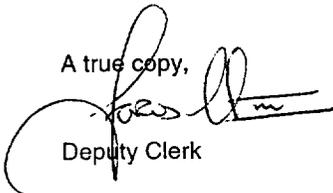
02-R-2028

A RESOLUTION

**BY PUBLIC SAFETY &
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 **Georgia Farm Bureau Mutual Insurance Company** as subrogee of **Paul McGinity** in the sum of **\$1,814.42** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from an automobile accident on March 26, 2002 at Riverdale Road & Fayetteville Road** 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,



Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

DEC 02, 2002
DEC 05, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0698

Date: November 14, 2002

Claimant /Victim PAUL MCGINITY
BY: (Atty) (Ins. Co.) Georgia Farm Bureau Mutual Insurance Company
Address: P.O. Box 7008 Macon, Georgia 31209-7008
Subrogation: X Claim for Property damage \$ 1,814.42 Bodily Injury \$
Date of Notice: 10/01/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/26/02 Place: Riverdale Road & West Fayetteville Road
Department FIRE Division
Employee involved Gary L. Askew Disciplinary Action: None

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a City vehicle that was attempting to avoid colliding with another vehicle that had turned in front of the City vehicle.

INVESTIGATION:

Statements: City employee Claimant Others Written 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 X Ministerial
Improper Notice More than Six Months Other Damages reasonable X
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,814.42 Adverse Account charged: 1A01 X 2J01 2P01 2H01
Claims Manager: Concur/date 11/15/02
Committee Action: Council Action

12/02/02 Council Meeting

ITEMS ADOPTED ON CONSENT

AGENDA

- | | | |
|---------------|---------------|---------------|
| 1. 02-O-1925 | 31. 02-O-1920 | 62. 02-R-2104 |
| 2. 02-O-1926 | 32. 02-O-1921 | 63. 02-R-2112 |
| 3. 02-O-1927 | 33. 02-O-2001 | 64. 02-R-2113 |
| 4. 02-O-1928 | 34. 02-O-2097 | 65. 02-R-2115 |
| 5. 02-O-1929 | 35. 02-O-2098 | 66. 02-R-2116 |
| 6. 02-O-1969 | 36. 02-O-2099 | 67. 02-R-2117 |
| 7. 02-O-1976 | 37. 02-O-2100 | 68. 02-R-2125 |
| 8. 02-O-2095 | 38. 02-R-1593 | 69. 02-R-2126 |
| 9. 02-O-1998 | 39. 02-R-1848 | 70. 02-R-2016 |
| 10. 02-O-1892 | 40. 02-R-1849 | 71. 02-R-2017 |
| 11. 02-O-1903 | 41. 02-R-1850 | 72. 02-R-2018 |
| 12. 02-O-1907 | 42. 02-R-1985 | 73. 02-R-2019 |
| 13. 02-O-1139 | 43. 02-R-2003 | 74. 02-R-2022 |
| 14. 02-O-1292 | 44. 02-R-2004 | 75. 02-R-2060 |
| 15. 02-O-1913 | 45. 02-R-2009 | 76. 02-R-2061 |
| 16. 02-O-1930 | 46. 02-R-2010 | 77. 02-R-2062 |
| 17. 02-O-2103 | 47. 02-R-2011 | 78. 02-R-2069 |
| 18. 02-O-1922 | 48. 02-R-2012 | 79. 02-R-2072 |
| 19. 02-O-1923 | 49. 02-R-2013 | 80. 02-R-2074 |
| 20. 02-O-2091 | 50. 02-R-2014 | 81. 02-R-2122 |
| 21. 02-O-2092 | 51. 02-R-2057 | 82. 02-R-2023 |
| 22. 02-O-2105 | 52. 02-R-2058 | 83. 02-R-2064 |
| 23. 02-O-1396 | 53. 02-R-2073 | 84. 02-R-2065 |
| 24. 02-O-1792 | 54. 02-R-2015 | 85. 02-R-2066 |
| 25. 02-O-1914 | 55. 02-R-2059 | 86. 02-R-2070 |
| 26. 02-O-1915 | 56. 02-R-1216 | 87. 02-R-2028 |
| 27. 02-O-1916 | 57. 02-R-2119 | 88. 02-R-2029 |
| 28. 02-O-1917 | 58. 02-R-2123 | 89. 02-R-2030 |
| 29. 02-O-1918 | 59. 02-R-2055 | 90. 02-R-2031 |
| 30. 02-O-1919 | 60. 02-R-2063 | 91. 02-R-2032 |
| | | 92. 02-R-2033 |
| | | 93. 02-R-2034 |
| | | 94. 02-R-2035 |
| | | 95. 02-R-2036 |
| | | 96. 02-R-2037 |

ITEMS ADVERSED ON CONSENT

AGENDA

- | | |
|----------------|----------------|
| 97. 02-R-2027 | 107. 02-R-2047 |
| 98. 02-R-2038 | 108. 02-R-2048 |
| 99. 02-R-2039 | 109. 02-R-2049 |
| 100. 02-R-2040 | 110. 02-R-2050 |
| 101. 02-R-2041 | 111. 02-R-2051 |
| 102. 02-R-2042 | 112. 02-R-2052 |
| 103. 02-R-2043 | 113. 02-R-2053 |
| 104. 02-R-2044 | 114. 02-R-2054 |
| 105. 02-R-2045 | |
| 106. 02-R-2046 | |

Consent I Vote: 9 Yeas; 0 Nays (See RCS #4251)

Items Removed from the Consent Agenda: 02-O-2096; 02-R-2094; 02-R-2114; 02-R-2118

Entered -10-07-02 - sb
CL 02L0698 - GWENDOLYN BURNS

CLAIM OF: **GEORGIA FARM BUREAU MUTUAL
INSURANCE COMPANY**
as subrogee of **PAUL MCGINITY**
P.O. Box 7008
Macon, Georgia 31209-7008

02-R-2028

For vehicular damages alleged to have been sustained from an automobile accident on March 26, 2002 at Riverdale Road & Fayetteville Road.

**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 **GEORGIA FARM BUREAU MUTUAL INSURANCE COMPANY** as subrogee of **PAUL MCGINITY** the sum of **\$1,814.42** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained from an automobile accident on March 26, 2002 at Riverdale Road & Fayetteville Road 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.

APPROVED:

BY: Linda K. DiSantis / Paul
LINDA K. DISANTIS
CITY ATTORNEY

APPROVED
Shirley Franklin
5 2002
MAYOR

FAVORABLE REPORT

COMM: Public Safety

DATE: 11-26-02

CHAIR: [Signature]

Carla Amato
Hubert
[Signature]

ADOPTED BY
MAY 01 2002
COUNCIL
DEC 02 2002
CERTIFIED
DEC 02 2002
Rita D. [Signature]
MUNICIPAL CLERK