

02-B-2037

Entered - 10-07-02 - sb
CL 02L0699 - GWENDOLYN BURNS

CLAIM OF: LIBERTY MUTUAL FIRE INSURANCE CO.
as subrogee of AMOS AJO
6575 Snowdrift Road, Suite 101
Allentown, PA 18106

For vehicular damages alleged to have been sustained as a result of an automobile accident on May 17, 2002 at McDonough Boulevard, SE and Milton Avenue, SE.

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 **LIBERTY MUTUAL FIRE INSURANCE CO. as subrogee of AMOS AJO**, the sum of **\$2,000.00** 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 as a result of an automobile accident on May 17, 2002 at McDonough Boulevard, SE and Milton Avenue, SE., 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 / KLR
LINDA K. DISANTIS
CITY ATTORNEY

FAVORABLE REPORT

COMM: Public Safety

DATE: 11-26-02

CHAIR: [Signature]

Carla Smith

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]
APPROVED
DEC 6 2002
MAYOR

ADOPTED BY
COUNCIL

DEC 0 2 2002

DEC 0 2 2002

CERTIFIED
DEC 0 2 2002
Renee Doughton
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

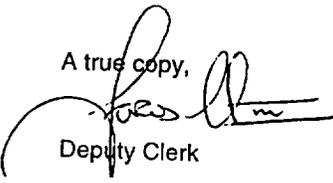
02-R-2037

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 **Liberty Mutual Fire Insurance Co. as subrogee of Amos Ajo** 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 an automobile accident on May 17, 2002 at McDonough Boulevard, SE and Milton Avenue, SE** 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. 02L0699

Date: November 15, 2002

Claimant /Victim AMOS AJO
BY: (Atty) (Ins. Co.) LIBERTY MUTUAL FIRE INSURANCE COMPANY
Address: 6575 Snowdrift Road, Suite 101, Allentown, Pennsylvania 18106
Subrogation: X Claim for Property damage \$ 2,119.04 Bodily Injury \$
Date of Notice: 9/26/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/17/02 Place: McDonough Boulevard, SE & Milton Avenue, SE
Department POLICE Division
Employee involved Kenneth C. Jackson Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a police vehicle that was attempting to leave a crime scene and failed to yield when entering a roadway. This investigation determined that although the claimant was cited for "failure to yield right-of-way to emergency vehicles", had the police officer used extreme caution before entering the roadway, the accident would have been avoided.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report 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 \$ 2,000.00 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