

Entered - 08/22/02 - sb  
CL02L0595 - DIANNE C. MITCHELL

CLAIM OF: **CICILY JOHNSON,**  
through her attorney,  
**Neil J. Koptsky**  
100 Colony Square, Suite 820  
1175 Peachtree Street, NE  
Atlanta, Georgia 303561

02-R-2047

DEC 02 2002

For damages alleged to have been sustained as a result of a vehicular accident on March 11, 2002 at 3580 Campbellton Road, SW.

THIS ADVERSED REPORT IS APPROVED

BY: Linda K. DiSantis

LINDA K. DISANTIS  
CITY ATTORNEY

Randall Campbell  
MEMORIAL CLERK

RECEIVED  
DEC 09 2002

ADVERSED DEC 02 2002

**ADVERSE REPORT**

COMM: Public Safety  
DATE: 11-26-02  
CHAIR: [Signature]  
Carla Smith  
[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_



## 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

December 12, 2002

Neil J. Koptsky  
Attorney at Law  
1175 Peachtree St., NE  
100 Colony Square, Suite 820  
Atlanta, Georgia 303561

02-R-2047

RE: Cicily Johnson

Dear Attorney Koptsky:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's claim at its regular meeting on December 2, 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.

Yours very truly,

  
Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0595

Date: November 14, 2002

Claimant /Victim CICILY JOHNSON
BY: (Atty) Neil J. Koptsky
Address: 100 Colony Square, Suite 820, 1175 Peachtree Street, NE, Atlanta, Georgia 30361
Subrogation: Claim for Property damage \$ Bodily Injury \$ 1,2567+
Date of Notice: 08/15/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/11/02 Place: 3580 Campbellton Road, SW
Department Administrative Services Division: Motor Transportation
Employee involved Jonathon Dodd Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when the vehicle in which was riding was involved in a vehicular accident with a City vehicle. However, the claimant's attorney has failed to furnish requested information necessary to substantiate the claim.

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 X 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,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: [Signature] Concur/date 11-14-02
Committee Action: Council Action



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**12/02/02 Council Meeting**

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**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 |                |

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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