

Entered - 04/17/01- sb
CL - 01L0238 LISA CARTER

CLAIM OF: VALERIE BRADDOCK
3949 Conley Downs Lane
Decatur, Georgia 30034

03-R-1920

For damages alleged to have been sustained as a result of a slip and fall incident on May 9, 2001 at 68 Mitchell Street.

THIS ADVERSED REPORT IS
APPROVED

BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

Jerry L. DeLoach
COUNCIL PRESIDENT PRO TEM

NOV 17 2003

NOV 17 2003

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 11/10/03

CHAIR: _____

NOV 17 2003



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

November 17, 2003

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Valerie Braddock
3949 Conley Downs Lane
Decatur, Georgia 30034

03-R-1920

Dear Ms. Braddock:

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 November 17, 2003. 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. 01L0238

Date: October 28, 2003

Claimant /Victim VALERIE BRADDOCK

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

Address: 3939 Conley Downs Lane Decatur, Georgia 30034

Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ 507.00

Date of Notice: 04/16/01 Method: Written, proper X Improper _____

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

Date of Occurrence 03/03/01 Place: 68 Mitchell Street

Department Mayor Bureau: General Services Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained injuries as a result of a slip and fall incident at 68 Mitchell Street. However, an investigation determined that the city was not on notice of any problems at this location prior to the incident involving the claimant. The city is immune from liability as set forth in O.C.G.A §36-33-1.

INVESTIGATION:

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

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X

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 _____

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

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

Claims Manager [Signature] Concur/date 10/30/03

Committee Action: _____ Council Action _____

RCS# 5155
11/17/03
3:51 PM

Atlanta City Council

Regular Session

CONSENT I

EXCEPT:03-R-1973,03-R-1974,1981,1834,
03-R-1801,03-R-1878 03-R-1879, 03-R-1971
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

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

CONSENT I

		11-17-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1812	42. 03-R-1902	80. 03-R-1940
2. 03-O-1802	43. 03-R-1903	81. 03-R-1941
3. 03-O-1958	44. 03-R-1904	82. 03-R-1942
4. 03-O-1959	45. 03-R-1905	83. 03-R-1943
5. 03-O-1960	46. 03-R-1906	84. 03-R-1944
6. 03-O-1961	47. 03-R-1907	85. 03-R-1945
7. 03-O-1962	Items Adversed on	86. 03-R-1946
8. 03-O-1963	consent	87. 03-R-1947
9. 03-O-1809	48. 03-R-1908	88. 03-R-1948
10. 03-O-1957	49. 03-R-1909	89. 03-R-1949
11. 03-O-1862	50. 03-R-1910	90. 03-R-1950
12. 03-O-1868	51. 03-R-1911	91. 03-R-1951
13. 03-O-1699	52. 03-R-1912	
14. 03-O-1805	53. 03-R-1913	
15. 03-O-1806	54. 03-R-1914	
16. 03-O-1807	55. 03-R-1915	
17. 03-O-1813	56. 03-R-1916	
18. 03-O-1871	57. 03-R-1917	
19. 03-O-1966	58. 03-R-1918	
20. 03-R-1477	59. 03-R-1919	
21. 03-R-1877	60. 03-R-1920	
22. 03-R-1952	61. 03-R-1921	
23. 03-R-1886	62. 03-R-1922	
24. 03-R-1882	63. 03-R-1923	
25. 03-R-1883	64. 03-R-1924	
26. 03-R-1884	65. 03-R-1925	
27. 03-R-1885	66. 03-R-1926	
28. 03-R-1980	67. 03-R-1927	
29. 03-R-1972	68. 03-R-1928	
30. 03-R-1982	69. 03-R-1929	
31. 03-R-0929	70. 03-R-1930	
32. 03-R-0982	71. 03-R-1931	
33. 03-R-1665	72. 03-R-1932	
34. 03-R-1889	73. 03-R-1933	
35. 03-R-1891	74. 03-R-1934	
36. 03-R-1892	75. 03-R-1935	
37. 03-R-1893	76. 03-R-1936	
38. 03-R-1894	77. 03-R-1937	
39. 03-R-1900	78. 03-R-1938	
40. 03-R-1953	79. 03-R-1939	
41. 03-R-1975		