

02-*R*-2136

Entered - 11/15/02 - sb
CL02L0805 - DIANNE C. MITCHELL

ADOPTED BY
JAN 06 2003
COUNCIL

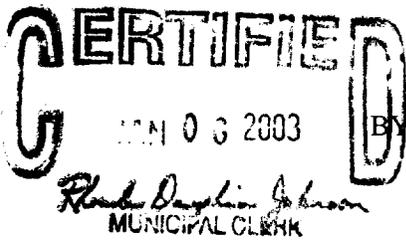
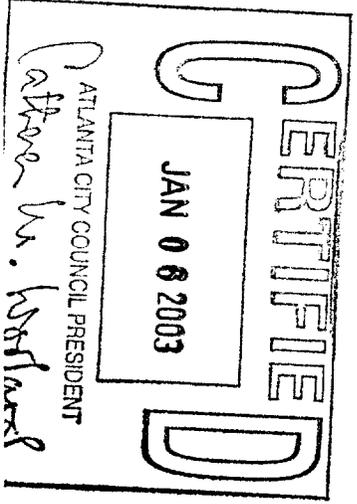
CLAIM OF: **GARY CULP AND HELEN MCBRIDE RICHTER**
1678 Nottingham Way
Atlanta, Georgia 30309

For damages alleged to have been sustained as a result of a vehicular accident on August 13, 2002 at 1820 Ponce de Leon Avenue.

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 **GARY CULP AND HELEN MCBRIDE RICHTER** 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 August 13, 2002 at 1820 Ponce de Leon Avenue 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.

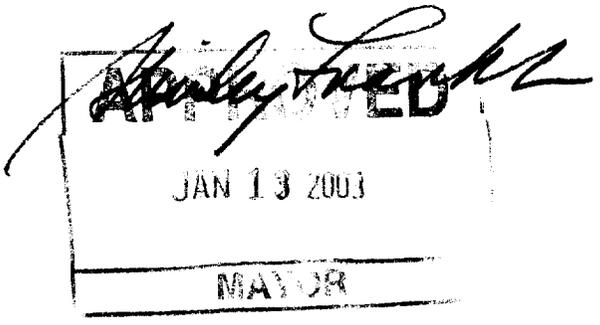
APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY



BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: _____
DATE: _____
CHAIR: *[Signature]*
Carla Smith
C. Tillman
Head Staff





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

02-R-2136

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 **Gary Culp and Helen McBride Richter** 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 **August 13, 2002 at 1820 Ponce de Leon Avenue** 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 Daughkin Johnson
Municipal Clerk, CMC

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

JAN 06, 2003
JAN 13, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0805

Date: November 26, 2002

Claimant /Victim GARY CULP AND HELEN MCBRIDE RICHTER

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

Address: 1678 Nottingham Way, Atlanta, Georgia 30309

Subrogation: _____ Claim for Property damage \$ 3,339.44 Bodily Injury \$ _____

Date of Notice: 11/13/02 Method: Written, proper X Improper _____

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

Date of Occurrence 08/13/02 Place: 1820 Ponce de Leon Avenue

Department Fire Division: _____

Employee involved Juan Harvey Disciplinary Action: No Action Taken

NATURE OF CLAIM: The driver of the City vehicle struck the claimants' vehicle that was stopped in the roadway, due to having been involved in another accident, and as the driver of the City vehicle attempted to go around the claimants' vehicle he struck same in an attempt to avoid a third vehicle that was improperly passing on the right.

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 _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

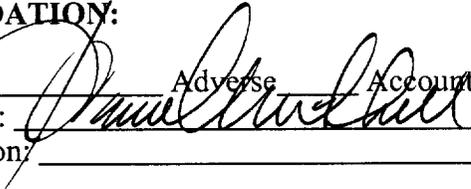
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 2,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 11-23-02

Committee Action/ _____ Council Action _____

1/06/03 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 02-O-2008
2. 02-O-2071
3. 02-O-2175
4. 02-O-2170
5. 02-O-2171
6. 02-O-2024
7. 02-O-2172
8. 02-R-2130
9. 02-R-2157
10. 02-R-2158
11. 02-R-2159
12. 02-R-2186
13. 02-R-1964
14. 02-R-1965
15. 02-R-2067
16. 02-R-2134
17. 02-R-2135
18. 02-R-2136
19. 02-R-2137
20. 02-R-2138
21. 02-R-2139
22. 02-R-2140
23. 02-R-2141

**ITEMS ADVERSED ON CONSENT
AGENDA**

24. 02-R-2142
25. 02-R-2143
26. 02-R-2144
27. 02-R-2145
28. 02-R-2146
29. 02-R-2147
30. 02-R-2148
31. 02-R-2149
32. 02-R-2150
33. 02-R-2151
34. 02-R-2152
35. 02-R-2153
36. 02-R-2154
37. 02-R-2155
38. 02-R-2156

Consent I Vote: 11Yeas; 0 Nays (See RCS #4344)

Items Removed from the Consent Agenda: 02-O-1853; 02-R-1770; 02-R-2007; 02-R-2056