

Entered - 11/01/02 - sb  
CL02L0782 - DIANNE C. MITCHELL

02-*B*-2137

CLAIM OF: **METLIFE AUTO AND HOME AS SUBROGEE OF  
CAROLYN J. HORTON**  
P. O. Box 668  
Warwick, Rhode Island 02887

**ADOPTED BY**  
JAN 06 2003  
**COUNCIL**

For damages alleged to have been sustained as a result of a vehicular accident on August 7, 2002 at North Avenue, NE and parkway Drive, NE.

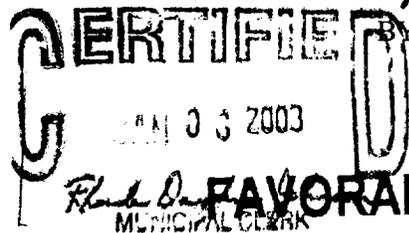
BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

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 **METLIFE AUTO AND HOME AS SUBROGEE OF CAROLYN J. HORTON** 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 7, 2002 at North Avenue, NE and parkway Drive, NE 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

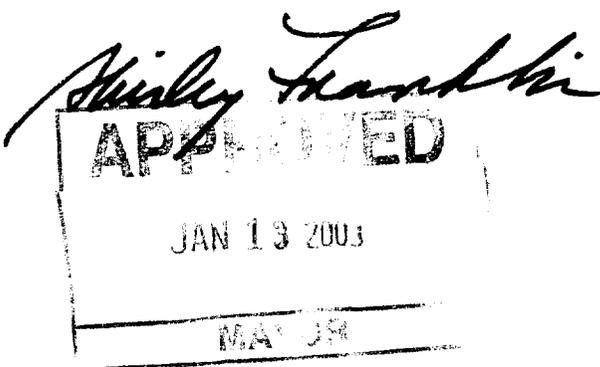


BY: *Rosalind Rubens Newell*  
**ROSALIND RUBENS NEWELL**  
DEPUTY CITY ATTORNEY



**FAVORABLE REPORT**

COMM: \_\_\_\_\_  
DATE: \_\_\_\_\_  
CHAIR: *Carla Smith*  
*Carl ...*  
*Paul ...*





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**02-R-2137**

**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 **Metlife Auto and Home as subrogee of Carolyn J. Horton** 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 7, 2002 at North Avenue, NE and Parkway Drive, NE** 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 Dauphin 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. 02L0782

Date: November 26, 2002

Claimant /Victim METLIFE AUTO AND HOME AS SUBROGEE OF CAROLYN J. HORTON

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: P. O. Box 668, Warwick, Rhode Island, 02887

Subrogation: X Claim for Property damage \$ 2,712.92 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 10/29/02 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 08/07/02 Place: North Avenue, NE and Parkway Drive, NE

Department Police Division: \_\_\_\_\_

Employee involved Marc T. Calkins Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way while turning left and collided with the claimant's vehicle causing damages in the above amount.

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 \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

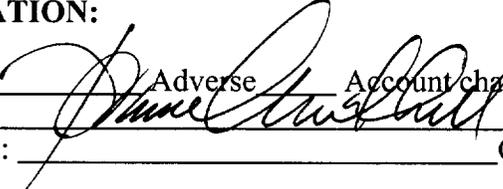
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 11-26-02

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



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**1/06/03 Council Meeting**

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**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

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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