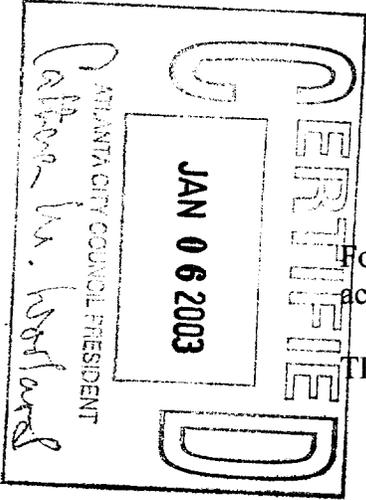


Entered - 03/13/02 - sb
CL02L0193 - DIANNE C. MITCHELL

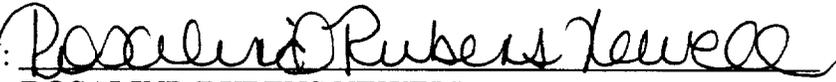
CLAIM OF: **DEMETRIUS MORGAN, a minor,**
through his attorney,
Aileen Page
100 Peachtree Street, NW
Suite 1400
Atlanta, Georgia 30303

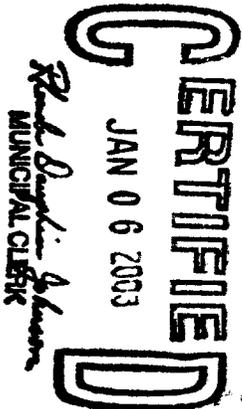
02-R-2154



For damages alleged to have been sustained as a result of a vehicular accident on August 18, 2001 at 3417 Maynard Road, NW.

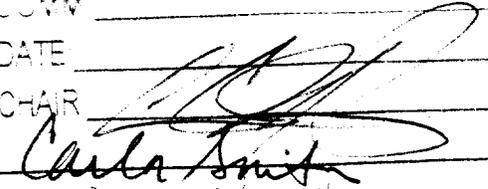
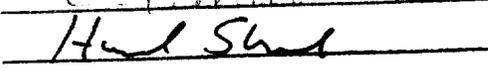
THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED BY CITY COUNCIL JAN 06 2003

ADVERSE REPORT

COUNCIL _____
DATE _____
CHAIR _____

Carla Smith
CITY CLERK

Hank Smith



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

January 14, 2003

Aileen Page
Attorney at Law
100 Peachtree Street, NW
Suite 1400
Atlanta, GA 30303

02-R-2154

RE: Demetrius Morgan, a minor

Dear Attorney Page:

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 January 03, 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.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0193

Date: November 25, 2002

Claimant /Victim DEMETRIUS MORGAN, a minor
BY: (Atty) Aileen Page
Address: 100 Peachtree Street, NW, Suite 1400, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 03/02/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 07/18/01 Place: 3417 Maynard Road, NW
Department Police Division:
Employee involved David White Disciplinary Action: No Action Taken

NATURE OF CLAIM: The claimant drove his bicycle into the City vehicle causing him to be injured. However, the investigation found no negligence on the part of the driver of the City vehicle in causing this accident.

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 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,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: [Signature] Concur/date 11-26-02
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: 11 Yeas; 0 Nays (See RCS #4344)

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