



**A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE**

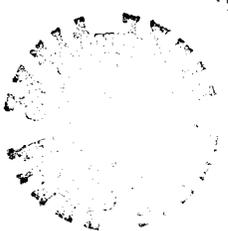
**A RESOLUTION AUTHORIZING SETTLEMENT OF ALL CLAIMS OF CELIA SLAUGHTER-BYNES AGAINST THE CITY OF ATLANTA AND PHASTEUS BROOKS IN THE CASE OF CELIA SLAUGHTER-BYNES V. CITY OF ATLANTA AND PHASTEUS G. BROOKS, CASE NUMBER 2002CV48602, IN THE SUPERIOR COURT OF FULTON COUNTY; TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00); AND FOR OTHER PURPOSES.**

WHEREAS, on February 6, 2002, the Plaintiff initiated the case of Celia Slaughter-Bynes v. City of Atlanta and Phasteus G. Brooks, alleging that these defendants are liable for personal injury; and

WHEREAS, the Plaintiff's lawsuit stems from a motor vehicle accident which occurred on August 30, 2000, involving Defendant Phasteus Brooks, who has since retired but was then on duty as an Atlanta police officer when the patrol car he was driving collided with the Chrysler Sebring driven by Celia Slaughter-Bynes; and

WHEREAS, as Brooks was traveling on Campbellton Road, observing three teens run behind a church during school hours in a suspicious manner, he drove into the rear of Mrs. Bynes' vehicle, which was stopped at a traffic light at the intersection of Campbellton Road and Camp Ground; and

WHEREAS, Brooks was given a traffic citation and charged with following too closely, and he received disciplinary action in the form of a written reprimand; and



WHEREAS, as a result of the accident, Mrs. Slaughter-Bynes' car was totaled and she received bodily injury; and

WHEREAS, Mrs. Slaughter-Bynes incurred medical expenses in excess of \$8,000.00, lost wages, attorneys' fees, and other damages including pain and suffering; and

WHEREAS, both Defendants the City of Atlanta and Phasteus Brooks filed motions to dismiss the Complaint on the grounds that the City is entitled to sovereign immunity for damages in excess of \$2,000.00 per Atlanta City Code § 2-4 and that Defendant Brooks is entitled to official immunity from claims of negligence; and

WHEREAS, after the filing of briefs and a hearing on the matter, the Court granted the Defendants' motions to dismiss Defendant Brooks and to dismiss the City of Atlanta for liability in excess of \$2,000.00, noting that the Court assumes that the City will pay Plaintiff the \$2,000.00 for which it has waived immunity; and

WHEREAS, by this settlement, Defendants admit no liability; and

WHEREAS, the offer of settlement acceptable to the Plaintiff is, in the opinion of the City Attorney, appropriate to settle all claims against the City of Atlanta and its officers and employees arising out of the case of Celia Slaughter-Bynes v. City of Atlanta, et al.



THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the City Attorney be and is hereby authorized to conclude settlement of all claims against the City of Atlanta and former Sgt. Phasteus Brooks arising out of the lawsuit filed by the Plaintiff in the Superior Court of Fulton County, as set forth in Civil Action Number 2002-CV-8602.

THE CITY COUNCIL FURTHER RESOLVES that the Chief Financial Officer is authorized to pay the total of Two Thousand Dollars (\$2,000.00) at the direction of the City Attorney from the account of 1A01 529017 T31001. Payment shall be in the form of a check in the amount of \$2,000.00, payable to Celia Slaughter-Bynes and E. Earle Burke, Esq. Such payment will be in full consideration of the dismissal of all claims against both defendants.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JAN 21, 2003  
JAN 28, 2003

RCS# 4404  
1/21/03  
3:19 PM

Atlanta City Council

Regular Session

CONSENT 1                      Pgs. 1-8; Except 03-R-0035; 03-R-0050

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

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

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**1/21/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 02-O-2129
2. 03-O-0040
3. 02-O-2132
4. 02-O-2133
5. 02-O-2128
6. 03-O-0047
7. 03-R-0029
8. 03-R-0030
9. 03-R-0025
10. 03-R-0032
11. 03-R-0036
12. 03-R-0058
13. 03-R-0059
14. 02-R-1137
15. 02-R-1628
16. 02-R-1874
17. 03-R-0031
18. 03-R-0046
19. 02-R-2056
20. 03-R-0001
21. 03-R-0002
22. 03-R-0013
23. 03-R-0014

**Items Adversed on the Consent  
Agenda**

24. 03-R-0003
25. 03-R-0004
26. 03-R-0005
27. 03-R-0006
28. 03-R-0007
29. 03-R-0008
30. 03-R-0009
31. 03-R-0010
32. 03-R-0011
33. 03-R-0012
34. 03-R-0015
35. 03-R-0016
36. 03-R-0017
37. 03-R-0018
38. 03-R-0019
39. 03-R-0021
40. 03-R-0022
41. 03-R-0023
42. 03-R-0024

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Consent I Vote: 11 Yeas; 0 Nays: (See RCS #4404/Reconsidered; See RCS # 4376  
for Initial Vote & RCS #4403 for vote to Reconsider)

Items Removed from the Consent Agenda: 03-R-0035 & 03-R-0050

(Do Not Write Above)

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING SETTLEMENT OF ALL CLAIMS OF CELIA SLAUGHTER-BYNES AGAINST THE CITY OF ATLANTA AND PHASTEUS BROOKS IN THE CASE OF CELIA SLAUGHTER-BYNES VS. CITY OF ATLANTA AND PHASTEUS G. BROOKS, CASE NUMBER 2002CV48602, IN THE SUPERIOR COURT OF FULTON COUNTY; TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00); AND FOR OTHER PURPOSES.

Approved: *Revised Public Hearing Deputy City Attorney*

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee
Date
Chair
Referred To

Public Committee

Date
Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Handwritten signatures and names of committee members.

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

ADOPTED BY

JAN 21 2003

COUNCIL

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

- FINAL COUNCIL ACTION
2nd
1st & 2nd
3rd
Consent
V Vote
PRC Vote

CERTIFIED

CERTIFIED
JAN 21 2003

ATLANTA CITY COUNCIL PRESIDENT
Catherine M. Woodward

CERTIFIED
JAN 21 2003

DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION
JAN 28 2003
MAYOR