

Entered - 12/05/02 - sb
CL02L0875 - DIANNE C. MITCHELL

03- R-0094

CLAIM OF: ALVA JACKSON,
through his insurance carrier,
Liberty Mutual Fire Insurance Company
6575 Allentown, PA 18106

For damages alleged to have been sustained as a result of vehicular
damage due to a flood on September 21, 2002 at 3475 Cherokee
Circle, College Park, Georgia.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL FEB 03 2003

ADVERSE REPORT

COMM: Public Safety

DATE: 1-28-03

CHAIR: [Signature]

Mary Woodward

C. Ford

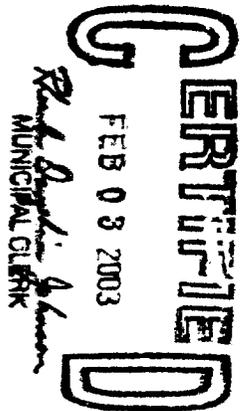
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OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

February 6, 2003

FAX (404) 658-6103

Liberty Mutual Fire Ins. Co.
Insurance Carrier
Attn: Jennifer Cooper
6575 Snowdrift Rd.
Suite 101
Allentown, PA 18106

03-R-0094

RE: Alva Jackson

Dear Ms. Cooper:

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 February 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. 02L0875

Date: January 13, 2003

Claimant /Victim ALVA JACKSON
BY: (Ins. Co.) Liberty Mutual Fire Insurance Company
Address: 6575 Snowdrift Road, Suite 101, Allentown, PA 18106
Subrogation: X Claim for Property damage \$ 530.63 Bodily Injury \$ _____
Date of Notice: 11/12/02 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 09/21/02 Place: 3475 Cherokee Circle, College Park, Georgia
Department _____ Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges his vehicle was damaged due to flooding on the above listed date. However, the location where the incident occurred is outside the Atlanta City limits. The claimant's insurance carrier has been advised to pursue its subrogation claim against the City of College Park.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager: Dianne Mitchell Concur/date 01-16-03
Committee Action: _____ Council Action _____

RCS# 4417
2/03/03
2:27 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-7: Except 02-0-2096

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

2/03/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 03-O-0033
2. 03-O-0123
3. 03-O-0109
4. 02-O-1038
5. 03-O-0105
6. 03-O-0057
7. 03-O-0111
8. 03-R-0121
9. 03-R-0069
10. 03-R-0070
11. 03-R-0071
12. 03-R-0072
13. 03-R-0073
14. 03-R-0074
15. 03-R-0075
16. 03-R-0076
17. 03-R-0077
18. 03-R-0078
19. 03-R-0079
20. 03-R-0126
21. 03-R-0090

**Items Adversed on the Consent
Agenda**

22. 03-R-0091
23. 03-R-0092
24. 03-R-0093
25. 03-R-0094
26. 03-R-0095
27. 03-R-0096
28. 03-R-0097
29. 03-R-0098
30. 03-R-0099
31. 03-R-0100

Consent I Vote: 15Yeas; 0 Nays: (See RCS #4417)

Item Removed from the Consent Agenda: 02-O-2096