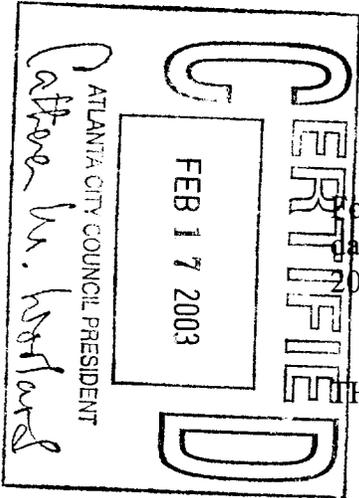


Entered - 11/01/01 - sb
CL01L0706 - DIANNE C. MITCHELL

03- R -0171

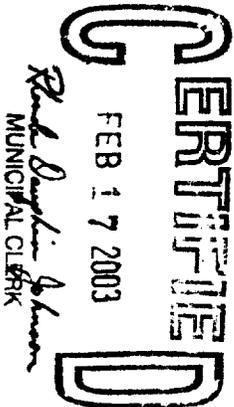
CLAIM OF: **STEPHANIE R. S. ANDERSON**
2842 N. Hills Drive
Atlanta, Georgia 30305



For damages alleged to have been sustained as a result of vehicular damage due to an improperly secured metal plate on October 15, 2001 at 4182 Powers Road.

THIS ADVERSED REPORT IS APPROVED

BY: *R. Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSED BY
CITY COUNCIL FEB 17 2003

ADVERSE REPORT
COMV *Public Safety*
DATE *2-11-03*
CHAIR *[Signature]*
[Signature]
[Signature]
[Signature]
[Signature]



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

February 18, 2003

Stephanie R. S. Anderson
2842 N. Hills Drive
Atlanta, GA 30305

03-R-0171

Dear Ms. Anderson:

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 claim at its regular meeting on February 17, 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. 01L0706

Date: January 28, 2002

Claimant /Victim STEPHANIE R. S. ANDERSON

BY: (Atty)(Ins. Co.)

Address: 2842 N. Hills Drive, Atlanta, Georgia 30305

Subrogation: Claim for Property damage \$ 372.44 Bodily Injury \$

Date of Notice: 10/29/01 Method: Written, proper X Improper

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

Date of Occurrence 10/15/01 Place: 4182 Powers Ferry Road

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant damaged her vehicle when she drove over an unsecured metal plate in the roadway. The investigation determined that a private contractor working for United Water Services Atlanta was responsible for the work at this location. The claim was forwarded to United Water Services Atlanta and the claim has been settled by its contractor.

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,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager: [Signature] Concur/date 01-29-02

Committee Action: Council Action

RCS# 4470
2/17/03
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

CONSENT I

2/17/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 02-O-0037
2. 03-O-0127
3. 03-O-0185
4. 03-O-0187
5. 03-O-0085
6. 03-O-0125
7. 03-R-0143
8. 03-R-0144
9. 03-R-0189
10. 03-R-0210
11. 03-R-0211
12. 03-R-0212
13. 03-R-0213
14. 03-R-0145
15. 03-R-0146
16. 03-R-0149
17. 03-R-0150
18. 03-R-0151
19. 03-R-0152
20. 03-R-0153
21. 03-R-0160
22. 03-R-0207
23. 03-R-0208
24. 03-R-0209
25. 03-R-0141
26. 03-R-0142
27. 03-R-0140
28. 03-R-0128
29. 03-R-0129
30. 03-R-0130
31. 03-R-0131
32. 03-R-0132
33. 03-R-0133
34. 03-R-0134
35. 03-R-0135
36. 03-R-0136

**Items Adversed on the Consent
Agenda**

- | | |
|---------------|---------------|
| 37. 03-R-0161 | 39. 03-R-0137 |
| 38. 03-R-0162 | 40. 03-R-0138 |
| | 41. 03-R-0139 |
| | 42. 03-R-0163 |
| | 43. 03-R-0164 |
| | 44. 03-R-0165 |
| | 45. 03-R-0166 |
| | 46. 03-R-0167 |
| | 47. 03-R-0168 |
| | 48. 03-R-0169 |
| | 49. 03-R-0170 |
| | 50. 03-R-0171 |
| | 51. 03-R-0172 |
| | 52. 03-R-0173 |
| | 53. 03-R-0174 |
| | 54. 03-R-0175 |
| | 55. 03-R-0176 |
| | 56. 03-R-0177 |
| | 57. 03-R-0178 |
| | 58. 03-R-0179 |
| | 59. 03-R-0180 |
| | 60. 03-R-0181 |
| | 61. 03-R-0201 |

Consent I Vote: 14 Yeas; 0 Nays: (See RCS #4470)

Item Removed from the Consent Agenda: 03-R-0224