

Entered - 01/10/03 - sb
CL03L0036 - DIANNE C. MITCHELL

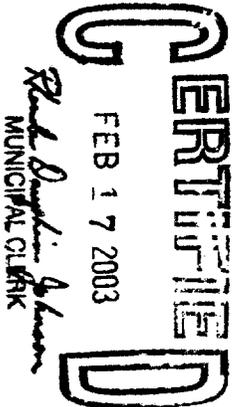
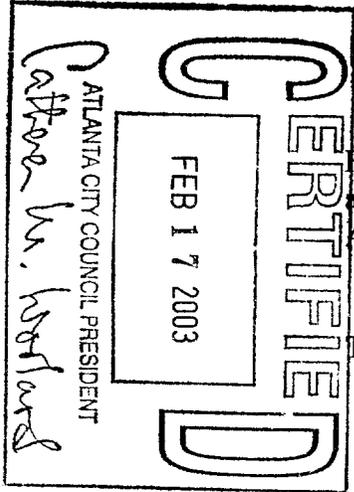
03-R-0177

CLAIM OF: **JULIA R. SCHATZ**
7190 Duncourtney Drive
Atlanta, Georgia 30328

For damages alleged to have been sustained as a result of a vehicular accident on December 14, 2002 at Myrtle Street and Ponce de Leon Avenue.

THIS ADVERSED REPORT IS APPROVED

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



ADVERSED BY
CITY COUNCIL FEB 17 2003

ADVERSE REPORT

COMM: *Public Safety*

DATE: *2-11-03*

CHAIR: _____



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

Julia R. Schatz
7190 Duncourtney Dr.
Atlanta, GA 30328

03-R-0177

Dear Ms. Schatz:

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. 03L0036

Date: January 28, 2002

Claimant /Victim JULIA R. SCHATZ

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

Address: 7190 Duncourtney Drive, Atlanta, Georgia 30328

Subrogation: Claim for Property damage \$ 1,283.73 Bodily Injury \$

Date of Notice: 01/09/03 Method: Written, proper X Improper

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

Date of Occurrence 12/04/02 Place: Myrtle Street and Ponce de Leon Avenue

Department Police Bureau:

Employee involved Gregg Junnier Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she was involved in a vehicular accident with a City vehicle. The claimant has elected to receive payment for her damages through her insurance carrier.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver X 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

Repair/replacement by Ins. Co. X 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 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
38. 03-R-0162
39. 03-R-0137
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: 14Yeas; 0 Nays: (See RCS #4470)
Item Removed from the Consent Agenda: 03-R-0224