



CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

March 26, 2003

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6273

Juane Castillo  
1000 Collier Road  
Apartment B-2  
Atlanta, GA 30318

03-R-0336

Dear Mr. Castsillo:

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 March 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*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0564

Date: February 24, 2003

Claimant /Victim JUANCE CASTILLO

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

Address: 1000 Collier Road, Apt. B-2, Atlanta, Georgia 30318

Subrogation: Claim for Property damage \$ 356.56 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 08/07/02 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 07/18/02 Place: Howell Mill Road

Department Public Works Bureau: Highways and Streets

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove over a hole in the roadway. However, the claimant has failed to furnish information necessary to substantiate her claim.

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 X

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

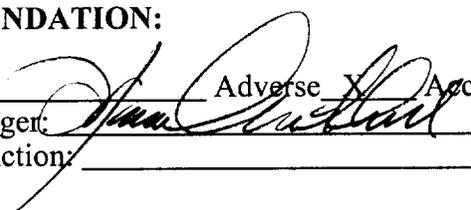
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned X

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 02 24 03

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



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**3/17/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 03-O-0408
2. 03-O-0392
3. 03-O-0305
4. 03-O-0380
5. 03-O-0388
6. 03-O-0234
7. 03-O-0228
8. 03-O-0229
9. 03-O-0385
10. 03-O-0386
11. 03-R-0348
12. 03-R-0349
13. 03-R-0351
14. 03-R-0352
15. 03-R-0597
16. 03-R-0353
17. 03-R-0354
18. 03-R-0190
19. 03-R-0346
20. 03-R-0361
21. 03-R-0417
22. 03-R-0356
23. 03-R-0357
24. 03-R-0358
25. 03-R-0370
26. 03-R-0371
27. 03-R-0372
28. 03-R-0373
29. 03-R-0374
30. 03-R-0383
31. 03-R-0387
32. 03-R-0325
33. 03-R-0326
34. 03-R-0327
35. 03-R-0328

**Items Adversed on the Consent  
Agenda**

36. 03-R-0329
37. 03-R-0330
38. 03-R-0331
39. 03-R-0332
40. 03-R-0333
41. 03-R-0334
42. 03-R-0335
43. 03-R-0347
44. 03-R-0415
45. 03-R-0336
46. 03-R-0337
47. 03-R-0338
48. 03-R-0339
49. 03-R-0340
50. 03-R-0341
51. 03-R-0342
52. 03-R-0343
53. 03-R-0344
54. 03-R-0345

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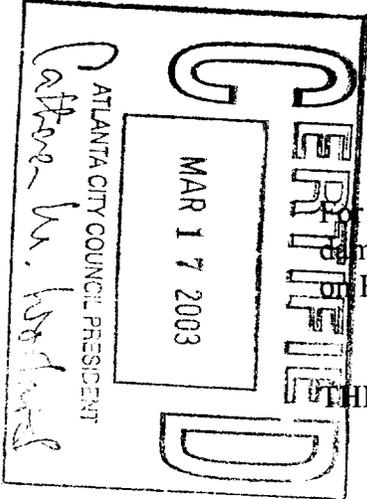
Consent I Vote: 12Yeas; 0 Nays: (See RCS #4538)

Items Removed from the Consent Agenda: 03-O-0219; 03-O-0323; 03-O-0220; &  
03-O-0221

Entered - 08/15/02 - sb  
CL02L0564 - DIANNE C. MITCHELL

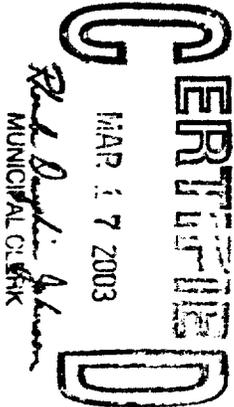
CLAIM OF: **JUANE CASTILLO**  
**1000 Collier Road**  
**Apt. B-2**  
**Atlanta, Georgia 30318**

03-R-0336



of damages alleged to have been sustained as a result of vehicular damage due to driving over a hole in the roadway on July 18, 2002 on Howell Mill Road.

THIS ADVERSED REPORT IS APPROVED



BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

**ADVERSE REPORT**

COMM: Public Safety

DATE: 3/13/03

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

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