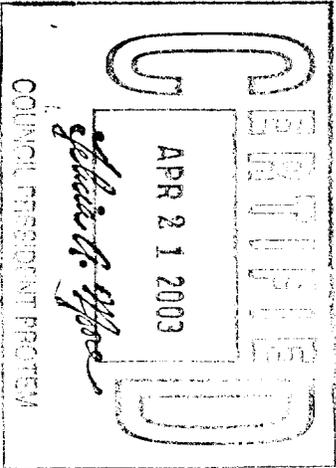


Entered - 1-11-01 - sb  
CL 02L0011 - GWENDOLYN BURNS

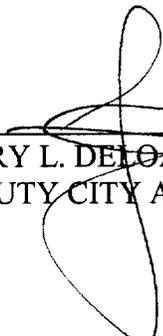
03-~~2~~-0514

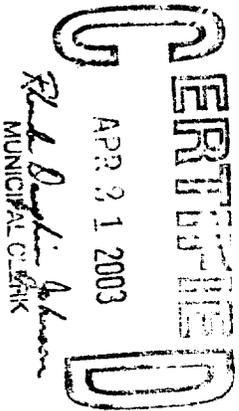
CLAIM OF: CECILIA LANGLEY  
through her attorney  
Ben C. Brodhead, P.C.  
235 Peachtree Street, NE, Suite 400  
Atlanta, Georgia 30303

For bodily injuries damages alleged to have been sustained  
from stepping into a water meter that was left open and in an  
unsafe condition on June 29, 2001 at 98 Sixth Street, NE.



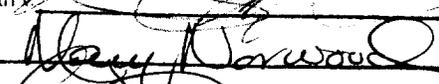
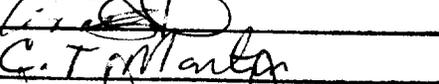
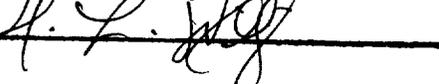
THIS ADVERSED REPORT IS APPROVED

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY



ADVERSED BY  
Council 4/21/03

**ADVERSE REPORT**

COMM: Public Safety  
DATE: 4/1/03  
CHAIR:   
  
  




CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

April 29, 2003

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

Ben C. Brodhead, P.C.  
Attorney at Law.  
235 Peachtree St., NE  
Suite 400  
Atlanta, GA 30303

03-R-0514

RE: Cecilia Lanagley

Dear Attorney Brodhead:

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 January 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. 02L0011

Date: March 18, 2002

Claimant /Victim CECILIA LANGLEY
BY: (Atty) (Ins. Co.) Ben C. Brodhead, P.C
Address: 235 Peachtree Street, NE, Suite 400, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ 16,500.00
Date of Notice: 12/21/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/29/01 Place: 98 Sixth Street
Department Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges she sustained bodily injuries when she stepped into an open water meter. However, an investigation determined that United Water Services Atlanta, Inc. was responsible for the open meter at the subject location. The claim was forwarded to United Water Services Atlanta, Inc. and has subsequently been resolved through litigation.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures X Diagrams Reports: Police Dept Report Other X
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 X 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,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01
Claims Manager: [Signature] Concur/date 03-20-02
Committee Action: Council Action

RCS# 4616  
4/21/03  
2:23 PM

Atlanta City Council

Regular Session

CONSENT I            Pgs. 1-19; Except 03-O-0441; 03-O-0391

Adopt

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 0  
EXCUSED: 0  
ABSENT 1

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	B Woolard

CONSENT I

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**4/21/03 FULL COUNCIL MEETING**

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**Items Adopted on the Consent Agenda**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 03-O-0186  | 36. 03-R-0451 | 72. 03-R-0498 |
| 2. 03-O-0350  | 37. 03-R-0571 | 73. 03-R-0499 |
| 3. 03-O-0401  | 38. 03-R-0549 | 74. 03-R-0500 |
| 4. 03-O-0442  | 39. 03-R-0555 | 75. 03-R-0501 |
| 5. 03-O-0438  | 40. 03-R-0556 | 76. 03-R-0502 |
| 6. 03-O-0445  | 41. 03-R-0558 | 77. 03-R-0503 |
| 7. 03-O-0446  | 42. 03-R-0559 | 78. 03-R-0504 |
| 8. 03-O-0443  | 43. 03-R-0560 | 79. 03-R-0505 |
| 9. 03-O-0450  | 44. 03-R-0561 | 80. 03-R-0506 |
| 10. 03-O-0485 | 45. 03-R-0562 |               |
| 11. 03-O-0399 | 46. 03-R-0563 |               |
| 12. 03-O-0369 | 47. 03-R-0564 |               |
| 13. 03-O-0416 | 48. 03-R-0572 |               |
| 14. 03-O-0193 | 49. 03-R-0588 |               |
| 15. 03-O-0355 | 50. 03-R-0589 |               |
| 16. 03-O-0359 | 51. 03-R-0590 |               |
| 17. 03-O-0360 | 52. 03-R-0448 |               |
| 18. 03-O-0436 | 53. 03-R-0454 |               |
| 19. 02-O-1543 | 54. 03-R-0528 |               |
| 20. 03-O-0432 | 55. 03-R-0529 |               |
| 21. 03-O-0433 | 56. 03-R-0569 |               |
| 22. 03-O-0434 | 57. 03-R-0570 |               |
| 23. 03-R-0444 | 58. 03-R-0591 |               |
| 24. 03-R-0530 | 59. 03-R-0592 |               |
| 25. 03-R-0531 | 60. 03-R-0217 |               |
| 26. 03-R-0532 | 61. 03-R-0539 |               |
| 27. 03-R-0533 | 62. 03-R-0541 |               |
| 28. 03-R-0534 | 63. 03-R-0542 |               |
| 29. 03-R-0535 | 64. 03-R-0566 |               |
| 30. 03-R-0536 | 65. 03-R-0593 |               |
| 31. 03-R-0537 | 66. 03-R-0544 |               |
| 32. 03-R-0538 | 67. 03-R-0545 |               |
| 33. 03-R-0546 | 68. 03-R-0565 |               |
| 34. 03-R-0577 | 69. 03-R-0496 |               |
| 35. 03-R-0390 | 70. 03-R-0497 |               |

**Items Adversed on  
the Consent Agenda**

- |                |
|----------------|
| 81. 03-R-0507  |
| 82. 03-R-0508  |
| 83. 03-R-0509  |
| 84. 03-R-0510  |
| 85. 03-R-0511  |
| 86. 03-R-0512  |
| 87. 03-R-0513  |
| 88. 03-R-0514  |
| 89. 03-R-0515  |
| 90. 03-R-0516  |
| 91. 03-R-0517  |
| 92. 03-R-0518  |
| 93. 03-R-0519  |
| 94. 03-R-0520  |
| 95. 03-R-0521  |
| 96. 03-R-0522  |
| 97. 03-R-0523  |
| 98. 03-R-0524  |
| 99. 03-R-0525  |
| 100. 03-R-0526 |
| 101. 03-R-0527 |

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Consent I Vote: 15Yeas; 0 Nays: (See RCS #4616)

Items Removed from the Consent Agenda: 03-O-0441 & 03-O-0391