

Entered - 10/10/02 - sb
CL02L0732 - DIANNE C. MITCHELL

03- *P* -0860

CLAIM OF: USAA CASUALTY INSURANCE COMPANY AS
SUBROGEE OF BARBARA M. GOLDMAN
P. O. Box 31643
Tampa, Florida 33631-3643

ADOPTED BY
COUNCIL
JUN 1 6 2003

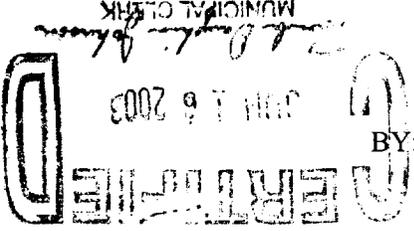
For damages alleged to have been sustained as a result of a vehicular accident on May 28, 2002 at 1088 North Avenue.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:



BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to USAA CASUALTY INSURANCE COMPANY AS SUBROGEE OF BARBARA M. GOLDMAN the sum of \$790.60 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on May 28, 2002 at 1088 North Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 2P01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

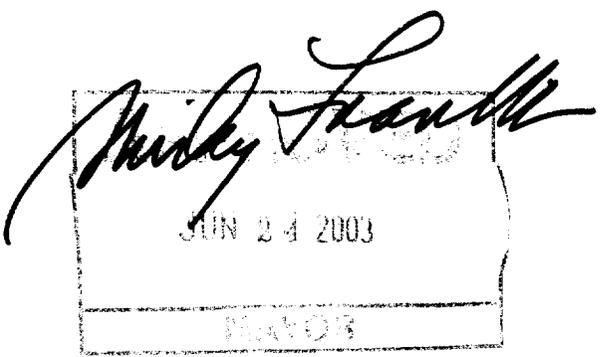


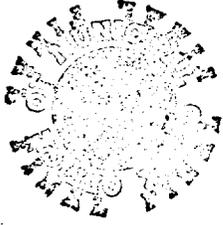
BY:
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/10/03
CHAIR:





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-860

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **USAA CASUALTY INSURANCE CO.** as subrogee of **Barbara M. Goldman** in the sum of **\$790.60** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of a vehicular accident on May 28, 2002 at 1088 North Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2P01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**JUN 16, 2003
JUN 24, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0732

Date: May 28, 2003

Claimant /Victim USAA CASUALTY INSURANCE COMPANY AS SUBROGEE OF BARBARA M. GOLDMAN

BY: (Atty)(Ins. Co.)

Address: P. O. Box 31643, Tampa, Florida 33631-3643

Subrogation: X Claim for Property damage \$ 790.60 Bodily Injury \$

Date of Notice: 10/01/02 Method: Written, proper X Improper

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

Date of Occurrence 05/28/02 Place: 1088 North Avenue

Department Public Works Bureau: Solid Waste

Employee involved John A. Summerour Disciplinary Action: Written Reprimand

NATURE OF CLAIM: The driver of the City vehicle attempted a right turn from the left lane and crossed into the right lane and collided with the claimant's vehicle causing damages in the above amount.

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 Ministerial X

Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

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

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 790.60 Adverse Account charged: 1A01 2J01 2H01 2P01 X

Claims Manager: [Signature] Concur/date 05-29-03

Committee Action: Council Action

		6/16/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-0906	34. 03-R-0855	45. 03-R-0866
2. 03-O-0911	35. 03-R-0856	46. 03-R-0867
3. 03-O-0905	36. 03-R-0857	47. 03-R-0868
4. 03-O-0764	37. 03-R-0858	48. 03-R-0869
5. 03-O-0914	38. 03-R-0859	49. 03-R-0870
6. 03-O-0667	39. 03-R-0860	50. 03-R-0871
7. 03-O-0671	40. 03-R-0861	51. 03-R-0872
8. 03-O-0839	41. 03-R-0862	52. 03-R-0873
9. 03-O-0908	42. 03-R-0863	53. 03-R-0874
10. 03-O-0910	43. 03-R-0864	54. 03-R-0875
11. 03-O-0912	44. 03-R-0865	55. 03-R-0876
12. 03-R-0851		56. 03-R-0877
13. 03-R-0853		57. 03-R-0878
14. 03-R-0854		58. 03-R-0879
15. 03-R-0922		59. 03-R-0880
16. 03-R-0927		60. 03-R-0881
17. 03-R-0928		61. 03-R-0882
18. 03-R-0891		62. 03-R-0883
19. 03-R-0894		63. 03-R-0884
20. 03-R-0921		64. 03-R-0885
21. 03-R-0890		65. 03-R-0886
22. 03-R-0893		66. 03-R-0887
23. 03-R-0895		67. 03-R-0888
24. 03-R-0903		
25. 03-R-0938		
26. 03-R-0848		
27. 03-R-0849		
28. 03-R-0892		
29. 03-R-0918		
30. 03-R-0919		
31. 03-R-0923		
32. 03-R-0924		
33. 03-R-0897		

Consent I Vote: 10Yeas; 0Nays: (See RCS #4836)

Items Removed from the Consent Agenda: 03-O-0913; 03-O-0693; 03-O-0668; 03-O-0669; 03-O-0929