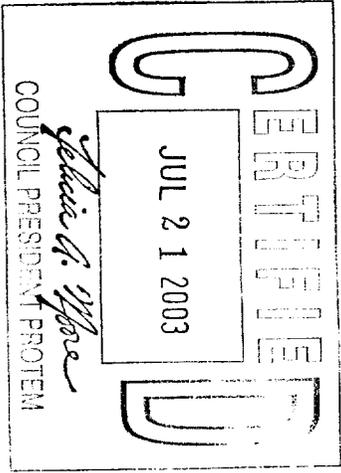


ADVERSED  
JUL 21 2003

Entered - 02/27/02 - sb  
CL02L0184 - DIANNE C. MITCHELL

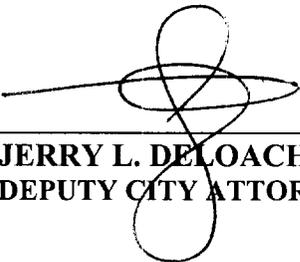
CLAIM OF: **JAGDISH GANDHI,**  
through his attorney,  
**Michael Weinstock**  
Suite 300  
3405 Piedmont Road, NE  
Atlanta, Georgia 30305

03-R-1073



For damages alleged to have been sustained as a result of personal injuries during an arrest on October 4, 2001 at the Atlanta Airport.

THIS ADVERSED REPORT IS APPROVED

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY



**ADVERSE REPORT**  
CIVIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 7/15/03  
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

July 29, 2003

Michael Weinstock  
Attorney at Law  
3405 Piedmont Rd., NE  
Suite 300  
Atlanta, GA 30305

03-R-1073

RE: Jagdish Gandhi

Dear Attorney Weinstock:

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 July 21, 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. 02L0184

Date: June 26, 2003

Claimant /Victim JAGDISH GANDHI
BY: (Atty) Michael Weinstock
Address: Suite 300, 3405 Piedmont Road, NE, Atlanta, Georgia 30305
Subrogation: Claim for Property damage \$ Bodily Injury \$ 195,000.00
Date of Notice: 02/26/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/04/01 Place: Atlanta Airport
Department Police Division:
Employee involved Officer Carroll Craig Disciplinary Action: Not Sustained

NATURE OF CLAIM: The claimant alleges he was injured and his civil rights were violated when he was arrested at the Atlanta Airport. An investigation conducted by the Office of Professional Standards did not find any wrongdoing on the part of Officer Craig. Furthermore, the City is immune from liability as set forth in O.C.G.A. §§36-33-1 & 36-33-3.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X 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

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: [Signature] Concur/date 06-27-03
Committee Action: Council Action

RCS# 4940  
7/21/03  
6:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS. 1-11, EXCEPT:03-O-1034  
03-R-1110, 03-R-1137, 03-O-1116  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 1

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

CONSENT I

		7/21/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 02-O-1259	26. 03-R-1039	51. 03-R-1064
2. 03-O-0148	27. 03-R-1040	52. 03-R-1065
3. 03-O-0826	28. 03-R-1041	53. 03-R-1066
4. 03-O-1114	29. 03-R-1042	54. 03-R-1067
5. 03-O-1122	30. 03-R-1043	55. 03-R-1068
6. 03-O-0939	31. 03-R-1044	56. 03-R-1069
7. 03-O-0974	32. 03-R-1045	57. 03-R-1070
8. 03-O-1120	33. 03-R-1046	58. 03-R-1071
9. 03-O-0964	34. 03-R-1047	59. 03-R-1072
10. 03-O-1115	35. 03-R-1048	60. 03-R-1073
11. 03-O-1117	36. 03-R-1049	61. 03-R-1074
12. 03-R-0896	37. 03-R-1050	
13. 03-R-1103	38. 03-R-1051	
14. 03-R-1126	39. 03-R-1052	
15. 03-R-1136	40. 03-R-1053	
16. 03-R-1124	41. 03-R-1054	
17. 03-R-1102	42. 03-R-1055	
18. 03-R-1129	43. 03-R-1056	
19. 03-R-1135	44. 03-R-1057	
20. 03-R-1088	45. 03-R-1058	
21. 03-R-1104	46. 03-R-1059	
22. 03-R-1111	47. 03-R-1060	
23. 03-R-1036	48. 03-R-1061	
24. 03-R-1037	49. 03-R-1062	
25. 03-R-1038	50. 03-R-1063	

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4940)

Items Removed from the Consent Agenda: 03-O-1034; 03-O-1116; 03-R-1110; 03-R-1137;