

Entered - 12/05/02 - sb  
CL - 02L0902 LISA CARTER

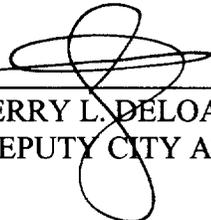
CLAIM OF: MICHAEL GOODMAN  
935 Hobson Street Apt. D  
Atlanta, Georgia 30310

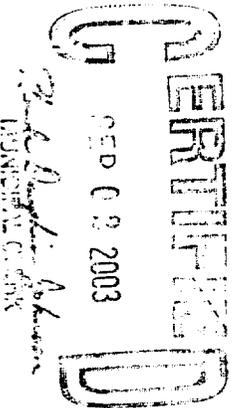
03-*R*-1257

For damages alleged to have been sustained as a result of a tree falling on his vehicle at 935 Hobson Street.

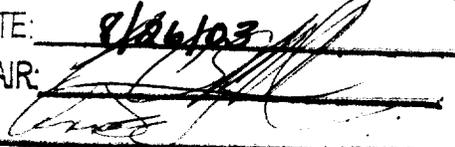
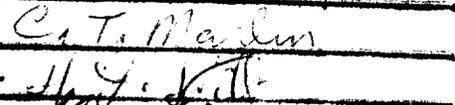
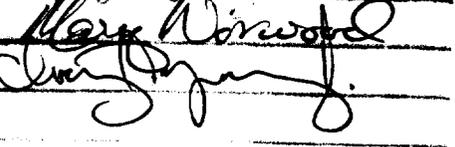
THIS ADVERSED REPORT IS APPROVED



BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY



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

DATE: 8/26/03  
CHAIR:   
C. T. Martin  
  
Mary Winwood  


**ADVERSED**  
SEP 02 2003



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

September 8, 2003

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Michael Goodman  
935 Hobson Street  
Apartment D  
Atlanta, GA 30310

03-R-1257

Dear Mr. Goodman:

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 September 02, 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. 02L0902

Date: August 5, 2003

Claimant /Victim MICHAEL GOODMAN  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 935 Hobson Street Apartment D Atlanta, GA 30310  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 3,700 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 12/04/02 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) \_\_\_\_\_ X  
Date of Occurrence 11/21/02 Place: 935 Hobson Street  
Department Parks, Recreation and Cultural Affairs Bureau: Parks Division: \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he sustained damages as a result of a tree falling on his vehicle. However, the claimant has withdrawn his claim.

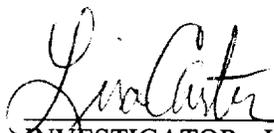
INVESTIGATION:

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 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,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager: [Signature] Concur/date 08-06-03  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 4975  
9/02/03  
1:20 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-18, EXCEPT;03-R-1310

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    | Y Martin  | Y Norwood  |
| Y Young   | Y Shook     | Y Maddox  | NV Willis  |
| Y Winslow | Y Muller    | Y Boazman | NV Woolard |

CONSENT I

|                             |                              | 9/02/03 Full Council Meeting |
|-----------------------------|------------------------------|------------------------------|
| ITEMS ADOPTED<br>ON CONSENT | ITEMS ADVERSED<br>ON CONSENT | ITEMS ADVERSED<br>ON CONSENT |
| 1. 03-O-1175                | 44. 03-R-1220                | 81. 03-R-1258                |
| 2. 03-O-1351                | 45. 03-R-1221                | 82. 03-R-1259                |
| 3. 03-O-1166                | 46. 03-R-1222                | 83. 03-R-1260                |
| 4. 03-O-1167                | 47. 03-R-1223                | 84. 03-R-1261                |
| 5. 03-O-1355                | 48. 03-R-1224                | 85. 03-R-1262                |
| 6. 03-O-1203                | 49. 03-R-1225                | 86. 03-R-1263                |
| 7. 03-O-1204                | 50. 03-R-1226                | 87. 03-R-1264                |
| 8. 03-O-1205                | 51. 03-R-1227                | 88. 03-R-1265                |
| 9. 03-O-0827                | 52. 03-R-1228                | 89. 03-R-1266                |
| 10. 03-O-1357               | 53. 03-R-1229                | 90. 03-R-1267                |
| 11. 03-R-1338               | 54. 03-R-1230                | 91. 03-R-1268                |
| 12. 03-R-1312               | 55. 03-R-1231                | 92. 03-R-1269                |
| 13. 03-R-1313               | 56. 03-R-1232                | 93. 03-R-1270                |
| 14. 03-R-1353               | 57. 03-R-1234                | 94. 03-R-1271                |
| 15. 03-R-1202               | 58. 03-R-1235                | 95. 03-R-1272                |
| 16. 03-R-1301               | 59. 03-R-1236                | 96. 03-R-1273                |
| 17. 03-R-1320               | 60. 03-R-1237                | 97. 03-R-1274                |
| 18. 03-R-1321               | 61. 03-R-1238                | 98. 03-R-1275                |
| 19. 03-R-1322               | 62. 03-R-1239                | 99. 03-R-1276                |
| 20. 03-R-1331               | 63. 03-R-1240                | 100. 03-R-1277               |
| 21. 03-R-1332               | 64. 03-R-1241                | 101. 03-R-1278               |
| 22. 03-R-1333               | 65. 03-R-1242                | 102. 03-R-1279               |
| 23. 03-R-1334               | 66. 03-R-1243                | 103. 03-R-1280               |
| 24. 03-R-1314               | 67. 03-R-1244                | 104. 03-R-1281               |
| 25. 03-R-1318               | 68. 03-R-1245                | 105. 03-R-1282               |
| 26. 03-R-1325               | 69. 03-R-1246                | 106. 03-R-1283               |
| 27. 03-R-1327               | 70. 03-R-1247                | 107. 03-R-1284               |
| 28. 03-R-1328               | 71. 03-R-1248                | 108. 03-R-1285               |
| 29. 03-R-1288               | 72. 03-R-1249                | 109. 03-R-1286               |
| 30. 03-R-1289               | 73. 03-R-1250                | 110. 03-R-1287               |
| 31. 03-R-1290               | 74. 03-R-1251                | 111. 03-R-1304               |
| 32. 03-R-1291               | 75. 03-R-1252                | 112. 03-R-1305               |
| 33. 03-R-1292               | 76. 03-R-1253                | 113. 03-R-1306               |
| 34. 03-R-1293               | 77. 03-R-1254                | 114. 03-R-1307               |
| 35. 03-R-1294               | 78. 03-R-1255                | 115. 03-R-1308               |
| 36. 03-R-1295               | 79. 03-R-1256                |                              |
| 37. 03-R-1296               | 80. 03-R-1257                |                              |
| 38. 03-R-1297               |                              |                              |
| 39. 03-R-1298               |                              |                              |
| 40. 03-R-1299               |                              |                              |
| 41. 03-R-1300               |                              |                              |
| 42. 03-R-1302               |                              |                              |
| 43. 03-R-1303               |                              |                              |