

Entered - 09/18/03 - sb  
CL03L0746 - DIANNE C. MITCHELL

03-*R*-1620

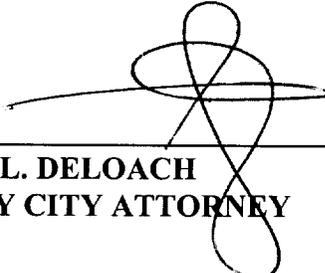
CLAIM OF: **GEORGIA M. STANFORD,**  
through her insurance carrier,  
State Farm Insurance Companies  
11350 Johns Creek Parkway  
Duluth, Georgia 30098-0001

For damages alleged to have been sustained as a result of a vehicular accident on February 27, 2003 at Interstate 75 southbound at State Route 41.

THIS ADVERSED REPORT IS APPROVED

BY: \_\_\_\_\_

**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY



### ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/28/03

CHAIR: \_\_\_\_\_

\_\_\_\_\_  
*Nancy Rowland*

\_\_\_\_\_  
*O.C. Tillman*

\_\_\_\_\_  
*John...*

\_\_\_\_\_  
*John...*

\_\_\_\_\_  
*John...*

\_\_\_\_\_

**CERTIFIED**  
OCT 20 2003  
ATLANTA CITY COUNCIL PRESIDENT  
*Patricia M. Stanford*

**CERTIFIED**  
OCT 20 2003  
MUNICIPAL CLERK  
*Kristin DeLoach Johnson*



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

October 29, 2003

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

State Farm Insurance Companies  
Insurance Carrier  
Attn: Livy Raiano  
11350 Johns Creek Parkway  
Duluth, GA 30098-0001

03-R-1620

RE: Georgia M. Stanford

Dear Mr. Raiano:

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 October 20, 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. 03L0746

Date: September 22, 2003

Claimant /Victim GEORGIA M. STANFORD
BY: (Ins. Co.) State Farm Insurance Companies
Address: 11350 Johns Creek Parkway, Duluth, Georgia 30098-0001
Subrogation: X Claim for Property damage \$ 6,787.89 Bodily Injury \$
Date of Notice: 09/16/03 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 02/27/03 Place: Interstate 75 southbound at State Route 41
Department Mayor Bureau: Motor Transport Services
Employee involved Stanley L. Lively, Sr. Disciplinary Action:

NATURE OF CLAIM: The driver of the City vehicle was following too closely and rear ended the claimant's vehicle causing her to rear end the vehicle in front of her. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5, in that the six month statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures X Diagrams Reports: Police X 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 X 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

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: [Signature] Concur/date 09/30/03
Committee Action: Council Action

RCS# 5099  
10/20/03  
4:32 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT:03-O-1695, 03-O-1444  
03-O-1689, 03-O-1493, 03-O-1494

~~RECONSIDER~~

ADOPT

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

RCS# 5098  
10/20/03  
4:30 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I & II PGS 1-22 EXCEPT:03-O-1695  
03-O-1444, 03-O-1689, 03-O-1493  
RECONSIDER

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

*See RCS#  
5067*

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

CONSENT I

RCS# 5067  
10/20/03  
2:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-17, EXCEPT:03-O-1695,  
03-O-1444, 03-O-1689, 03-O-1493  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

*Reconsidered 104  
in  
See RCS#  
5098*

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

CONSENT I

10-20-03 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1509	41. 03-R-1599	80. 03-R-1638
2. 03-O-1510	42. 03-R-1600	81. 03-R-1639
3. 03-O-1706	43. 03-R-1601	82. 03-R-1640
4. 03-O-1354	44. 03-R-1602-----	83. 03-R-1641
5. 03-O-1500	<b>Items Adversed on</b>	84. 03-R-1642
6. 03-O-1501	<b>Consent</b>	85. 03-R-1643
7. 03-O-1130	45. 03-R-1603	86. 03-R-1644
8. 03-O-1434	46. 03-R-1604	87. 03-R-1645
9. 03-O-1512	47. 03-R-1605	88. 03-R-1646
10. 03-O-1586	48. 03-R-1606	89. 03-R-1647
11. 03-O-0662	49. 03-R-1607	90. 03-R-1648
12. 03-R-1669	50. 03-R-1608	91. 03-R-1649
13. 03-R-1508	51. 03-R-1609	
14. 03-R-1661	52. 03-R-1610	
15. 03-R-1662	53. 03-R-1611	
16. 03-R-1663	54. 03-R-1612	
17. 03-R-1664	55. 03-R-1613	
18. 03-R-1691	56. 03-R-1614	
19. 03-R-1704	57. 03-R-1615	
20. 03-R-1670	58. 03-R-1616	
21. 03-R-1671	59. 03-R-1617	
22. 03-R-1672	60. 03-R-1618	
23. 03-R-1673	61. 03-R-1619	
24. 03-R-1674	62. 03-R-1620	
25. 03-R-1675	63. 03-R-1621	
26. 03-R-1654	64. 03-R-1622	
27. 03-R-1655	65. 03-R-1623	
28. 03-R-1711	66. 03-R-1624	
29. 03-R-1724	67. 03-R-1625	
30. 03-R-1725	68. 03-R-1626	
31. 03-R-1726	69. 03-R-1627	
32. 03-R-1727	70. 03-R-1628	
33. 03-R-1656	71. 03-R-1629	
34. 03-R-1657	72. 03-R-1630	
35. 03-R-1728	73. 03-R-1631	
36. 03-R-1594	74. 03-R-1632	
37. 03-R-1595	75. 03-R-1633	
38. 03-R-1596	76. 03-R-1634	
39. 03-R-1597	77. 03-R-1635	
40. 03-R-1598	78. 03-R-1636	
	79. 03-R-1637	