



**BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE LAWSUIT STYLED LOUREE WARE V. WALLACE MASON; STATE COURT OF DEKALB COUNTY; CIVIL ACTION NUMBER 00-A-68026, IN THE AMOUNT OF \$10,000.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT FROM FUND ACCOUNT CENTER NO. 1A01 (GENERAL FUND) 529017 (PROPERTY LIQUIDATION) T31001 (NON-DEPARTMENTAL); AND FOR OTHER PURPOSES.**

**WHEREAS**, the Plaintiff, Louree Ware filed the lawsuit styled Louree Ware v. Wallace Mason; State Court of DeKalb County; Civil Action Number 00-A-68026, against the Defendant, Wallace Mason, a City of Atlanta employee, on May 26, 2000; and

**WHEREAS**, the lawsuit arises out of a motor vehicle accident on February 3, 1997, involving the Defendant's operation of a city-owned standard issue Chevy pick-up truck with an attached six foot trailer hitch, hauling a 200 pound air compressor and the truck's collision with Plaintiff's vehicle; and

**WHEREAS**, the lawsuit seeks to hold the Defendant employee personally liable in negligence for personal injury and property damages in excess of \$25,000.00; and

**WHEREAS**, the City Attorney's office has thoroughly investigated the facts and circumstances involved in this matter and has determined that an offer of settlement to the Plaintiff is the most efficient legal course of action that would relieve Mr. Mason of personal liability for the accident; and

**WHEREAS**, it has been determined that it is desirable and in the best interests of the City and Mr. Mason to settle this lawsuit for \$10,000.00 and Plaintiff's attorney has agreed to accept such a settlement.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, hereby ordains as follows:**

**SECTION 1.** The City Attorney is authorized to settle the case of Louree Ware v. Wallace Mason; State Court of DeKalb County; Civil Action Number 00-A-68026, for the sum of Ten Thousand Dollars (\$10,000.00).

**SECTION 2.** The Chief Financial Officer is authorized to pay the total sum of \$10,000.00 to the Plaintiff and his attorneys, Baum & McGahren, LLC, from Account No. 1A01 (General Fund) 529017 (Property Liquidation) T31001 (Non-Departmental), in exchange for the Plaintiff's execution and



delivery to the City of a Final Payment and General Release and a filed Notice of Voluntary Dismissal With Prejudice.

**SECTION 3.** To the extent that Section 2-783(h) of the Code of Ordinances of the City of Atlanta is in conflict herewith, that subsection is waived for this instance only to permit the payment of \$10,000.00 on behalf of Wallace Mason.

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 01, 2004

NOV 05, 2004

RCS# 6199  
11/01/04  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 3-15

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

		11-01-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSESED ON CONSENT
1. 04-O-1626	38. 04-R-1878	48. 04-R-1162
2. 04-O-1795	39. 04-R-1940	49. 04-R-1172
3. 04-O-1796	40. 04-R-1908	50. 04-R-1178
4. 04-O-1828	41. 04-R-1909	51. 04-R-1782
5. 04-O-1819	42. 04-R-1910	52. 04-R-1900
6. 04-O-1929	43. 04-R-1911	53. 04-R-1901
7. 04-O-1758	44. 04-R-1912	54. 04-R-1902
8. 04-O-1932	45. 04-R-1913	55. 04-R-1903
9. 04-O-1430	46. 04-R-1914	56. 04-R-1904
10. 04-O-1926	47. 04-R-1915	57. 04-R-1905
11. 04-O-1885		58. 04-R-1906
12. 04-O-1937		59. 04-R-1907
13. 04-O-1941		
14. 04-R-1893		
15. 04-R-1894		
16. 04-R-1895		
17. 04-R-1916		
18. 04-R-1917		
19. 04-R-1918		
20. 04-R-1920		
21. 04-R-1896		
22. 04-R-1897		
23. 04-R-1898		
24. 04-R-1899		
25. 04-R-1930		
26. 04-R-1884		
27. 04-R-1886		
28. 04-R-1888		
29. 04-R-1889		
30. 04-R-1890		
31. 04-R-1891		
32. 04-R-1928		
33. 04-R-1938		
34. 04-R-1870		
35. 04-R-1871		
36. 04-R-1874		
37. 04-R-1945		

04-0-1828

(Do Not Write Above This Line)

AN ORDINANCE

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ADOPTED BY

Approved by:

NOV 0 1 2004

JERRY L. DELOACH, DEPUTY CLERK

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 10-18-2004

Referred To: PS & LA

Date Referred

Referred To:

Date Referred

Referred To:

Committee PSLA First Reading  
 Date 10/12/04  
 Chair PSLA  
 Referred To PSLA

PSLA Committee

Date 10/12/04

Chair [Signature]

Action [Signature]

Fav. Adv. Hold (see rev. side)

Other

Members [Signatures]

Refer To

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav. Adv. Hold (see rev. side)

Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Voice
  - RC Voice

CERTIFIED

NOV 0 1 2004

MAYOR'S ACTION

NOV 0 1 2004

MAYOR'S ACTION

NOV 0 5 2004

MAYOR'S ACTION