

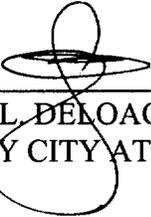
Entered - 04/29/04 - sb
CL - 04L0304 LISA CARTER

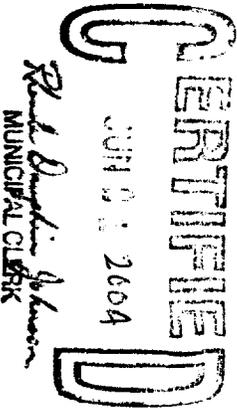
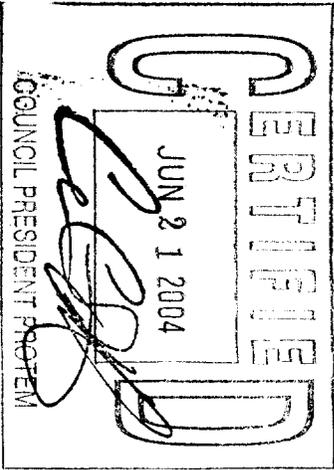
CLAIM OF: PETAL C. PETERS
1985 Winding Crossing Trail
Fairburn, Georgia 30213

04-R -1068

For damages alleged to have been sustained as a result of debris falling on her vehicle on December 19, 2003 on Interstate 75/85 at the 17th Street Construction site.

THIS ADVERSED REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVISED BY
CITY CLERK
JUN 21 2004



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30303
(404) 330-6033
FAX (404) 658-6273**

June 28, 2004

Petal C. Peters
1985 Winding Crossing Trail
Fairburn, GA 30213

04-R-1068

Dear Ms. Peters:

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 June 21, 2004. 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. 04L0304

Date: June 1, 2004

Claimant /Victim PETAL C. PETERS
BY: (Atty) (Ins. Co.) _____
Address: 1985 Winding Crossing Trial Fairburn, Georgia 30213
Subrogation: _____ Claim for Property damage \$ 451.55 Bodily Injury \$ _____
Date of Notice: 04/20/04 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) _____ X
Date of Occurrence 12/19/03 Place: Interstate 75/85 at 17th Street bridge
Department _____ Bureau: _____ Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages to her vehicle as a result of debris falling on her vehicle on Interstate 75/85. However, an investigation determined Georgia Department of Transportation and/or its contractor were working at this location and are responsible for the claimant's damages. The claim has been forwarded to Georgia Department of Transportation for handling and the claimant has been advised to pursue her claim with Georgia Department of Transportation.

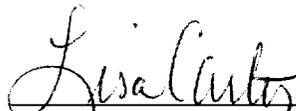
INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X 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:  Concur/date 06/03/04
Committee Action: _____ Council Action _____

RCS# 5810
6/21/04
1:50 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG 1-15 EXCEPT 04-O-1110 -1098
 O-1100 O-1109 O-1104 R-1145 R-1144
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 2

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

CONSENT I

6-21-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1016	41. 04-R-1066
2. 04-O-1009	42. 04-R-1067
3. 04-O-1117	43. 04-R-1068
4. 04-O-0795	44. 04-R-1069
5. 04-O-0919	45. 04-R-1070
6. 04-O-0914	46. 04-R-1071
7. 04-O-1064	47. 04-R-1072
8. 04-O-1101	48. 04-R-1073
9. 04-O-1118	49. 04-R-1074
10. 04-O-0987	50. 04-R-1075
11. 04-O-0990	51. 04-R-1076
12. 04-O-1116	52. 04-R-1077
13. 04-O-0662	53. 04-R-1078
14. 04-O-0663	54. 04-R-1079
15. 04-O-0664	55. 04-R-1080
16. 04-O-1018	56. 04-R-1081
17. 04-O-1106	57. 04-R-1082
18. 04-O-1112	58. 04-R-1083
19. 04-O-1113	59. 04-R-1084
20. 04-O-1119	60. 04-R-1085
21. 04-O-0785	61. 04-R-1086
22. 04-O-1007	62. 04-R-1087
23. 04-O-1103	63. 04-R-1089
24. 04-R-1022	64. 04-R-1090
25. 04-R-1043	65. 04-R-1091
26. 04-R-1047	
27. 04-R-1020	
28. 04-R-1035	
29. 04-R-1051	
30. 04-R-1052	
31. 04-R-1053	
32. 04-R-1111	
33. 04-R-1056	
34. 04-R-1107	
35. 04-R-1088	
36. 04-R-1092	
37. 04-R-1093	
38. 04-R-1094	
39. 04-R-1095	
40. 04-R-1096	