

Entered 6-26-03 dp
CL 03L0526 GWENDOLYN BURNS

CLAIM OF: PATRICIA M. LORRAINE
1143 Vista Trail
Atlanta, Georgia 30324

04-R-1166

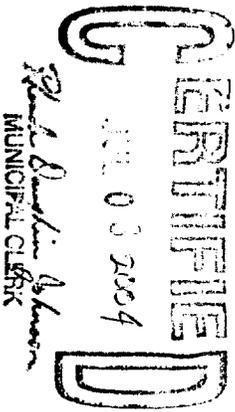
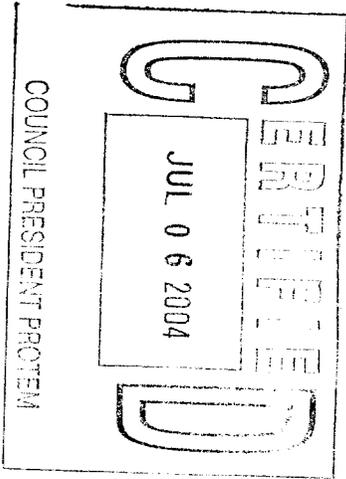
For vehicular damage allegedly sustained from a storm sewer overflow on June 13, 2003 at 222 Piedmont Avenue.

THIS ADVERSED REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/29/04
CHAIR: H. R. Williams
Venell Mosley
Marek D. ...
C. T. ...
Her ...
Carla Smith





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

July 19, 2004

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

Patricia M. Lorraine
1143 Vista Trail
Atlanta, GA 30324

04-R-1166

Dear Ms. Lorraine:

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 July 06, 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. 03L0526

Date: June 15, 2004

Claimant /Victim PATRICIA M. LORRAINE
BY: (Atty) (Ins. Co.)
Address: 1143 Vista Trail, Atlanta, Georgia 30324
Subrogation: Claim for Property damage \$ 495.93 Bodily Injury \$
Date of Notice: 6/24/03 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/13/03 Place: 222 Piedmont Avenue, NE
Department WATERSHED MANAGEMENT Bureau: Wastewater Treatment & Collection
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her vehicle was flooded due to a storm sewer overflow. However, an investigation determined that the City was not on notice of a storm sewer problem at the subject location prior to the date of claimant's incident.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other X
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2PO1 2J01 2H01
Claims Manager: Concur/date 06/16/04
Committee Action: Council Action

| 7-06-04 Council Meeting | |
|-------------------------------------|--------------------------------------|
| ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 04-O-1036 | 34. 04-R-1163 |
| 2. 04-O-1037 | 35. 04-R-1164 |
| 3. 04-O-1038 | 36. 04-R-1165 |
| 4. 04-O-1039 | 37. 04-R-1166 |
| 5. 04-O-1040 | 38. 04-R-1167 |
| 6. 04-O-1041 | 39. 04-R-1168 |
| 7. 04-O-1042 | 40. 04-R-1169 |
| 8. 04-O-1196 | 41. 04-R-1170 |
| 9. 04-O-1013 | 42. 04-R-1171 |
| 10. 04-O-1014 | 43. 04-R-1173 |
| 11. 04-O-1050 | 44. 04-R-1174 |
| 12. 04-O-1054 | 45. 04-R-1175 |
| 13. 04-O-1055 | 46. 04-R-1176 |
| 14. 04-O-1058 | 47. 04-R-1177 |
| 15. 04-R-1152 | 48. 04-R-1179 |
| 16. 04-R-1153 | 49. 04-R-1180 |
| 17. 04-R-1158 | 50. 04-R-1181 |
| 18. 04-R-1193 | 51. 04-R-1182 |
| 19. 04-R-1155 | 52. 04-R-1183 |
| 20. 04-R-1149 | 53. 04-R-1184 |
| 21. 04-R-1150 | 54. 04-R-1185 |
| 22. 04-R-1033 | 55. 04-R-1186 |
| 23. 04-R-1146 | |
| 24. 04-R-1148 | |
| 25. 04-R-1159 | |
| 26. 04-R-1160 | |
| 27. 04-R-1161 | |
| 28. 04-R-1187 | |
| 29. 04-R-1188 | |
| 30. 04-R-1189 | |
| 31. 04-R-1190 | |
| 32. 04-R-1191 | |
| 33. 04-R-1192 | |