

Entered - 06/22/04 - sb
CL - 04L0408 LISA CARTER

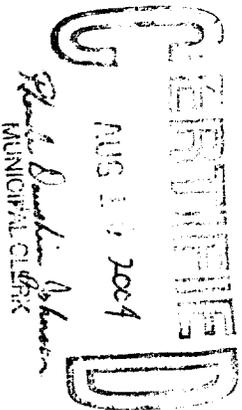
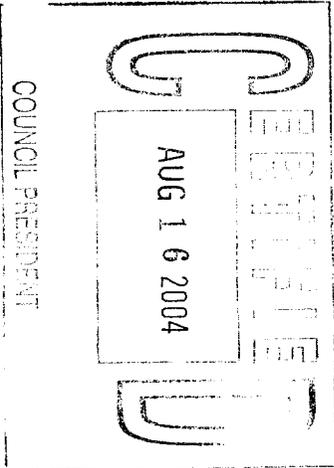
04-*R*-1348

CLAIM OF: HADIYAH HASAN
1065 Lakeside Circle
Covington, Georgia 30016

For damages alleged to have been sustained as a result of striking
a catch basin on May 29, 2004 at Martin Street and Crumley
Street.

THIS ADVERSED REPORT IS APPROVED

BY: *Jerry L. DeLoach*
JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVERSED
JUL 16 2004

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 7/27/04

CHAIR: *Dice* *L. T. Moore*

Clara Henderson

Walt Moody

Wendy Norwood



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

August 30, 2004

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

Hadiyah Hasan
1065 Lakeside Circle
Covington, GA 30016

04-R-1348

Dear Ms. Hasan:

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 December 01, 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. 04L0408

Date: July 13, 2004

Claimant /Victim HADIYAH HASAN
BY: (Atty) (Ins. Co.) _____
Address: 1065 Lakeside Circle Covington, Georgia 30016
Subrogation: _____ Claim for Property damage \$ 1,638.65 Bodily Injury \$ _____
Date of Notice: 06/08/04 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 05/29/04 Place: Martin Street and Crumley Street
Department Watershed Management Bureau: _____ Division: Sewer Operation
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of striking a catch basin at Martin Street and Crumley Street. However, the City of Atlanta was not on notice of the existence of a problem at this location prior to the incident involving the claimant.

INVESTIGATION:

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

Lisa Carter
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: [Signature] Concur/date 07/15/04
Committee Action: _____ Council Action _____

RCS# 5937
8/16/04
2:51 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-14 EXCEPT:04-R-1339
04-R-1391
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

CONSENT I

| | | 8-16-4 Council Meeting |
|-----------------------------|-----------------------------|------------------------------|
| ITEMS ADOPTED ON CONSENT | ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 04-O-1375 | 41. 04-R-1317 | 59. 04-R-1336 |
| 2. 04-O-1206 | 42. 04-R-1400 | 60. 04-R-1337 |
| 3. 04-O-1209 | 43. 04-R-1320 | 61. 04-R-1338 |
| 4. 04-O-1354 | 44. 04-R-1321 | 62. 04-R-1340 |
| 5. 04-O-1357 | 45. 04-R-1322 | 63. 04-R-1341 |
| 6. 04-O-1366 | 46. 04-R-1323 | 64. 04-R-1342 |
| 7. 04-O-0437 | 47. 04-R-1324 | 65. 04-R-1343 |
| 8. 04-O-1350 | 48. 04-R-1325 | 66. 04-R-1344 |
| 9. 04-O-1351 | 49. 04-R-1326 | 67. 04-R-1345 |
| 10. 04-O-1368 | 50. 04-R-1327 | 68. 04-R-1346 |
| 11. 04-O-1247 | 51. 04-R-1328 | 69. 04-R-1347 |
| 12. 04-O-1221 | 52. 04-R-1329 | 70. 04-R-1348 |
| 13. 04-R-1372 | 53. 04-R-1330 | |
| 14. 04-R-1273 | 54. 04-R-1331 | |
| 15. 04-R-1388 | 55. 04-R-1332 | |
| 16. 04-R-1402 | 56. 04-R-1333 | |
| 17. 04-R-1403 | 57. 04-R-1334 | |
| 18. 04-R-1404 | 58. 04-R-1335 | |
| 19. 04-R-1304 | | |
| 20. 04-R-1392 | | |
| 21. 04-R-1393 | | |
| 22. 04-R-1394 | | |
| 23. 04-R-1395 | | |
| 24. 04-R-1396 | | |
| 25. 04-R-1397 | | |
| 26. 04-R-1398 | | |
| 27. 04-R-1355 | | |
| 28. 04-R-1356 | | |
| 29. 04-R-1373 | | |
| 30. 04-R-1308 | | |
| 31. 04-R-1309 | | |
| 32. 04-R-1310 | | |
| 33. 04-R-1311 | | |
| 34. 04-R-1349 | | |
| 35. 04-R-1367 | | |
| 36. 04-R-1370 | | |
| 37. 04-R-1312 | | |
| 38. 04-R-1313 | | |
| 39. 04-R-1315 | | |
| 40. 04-R-1316 | | |