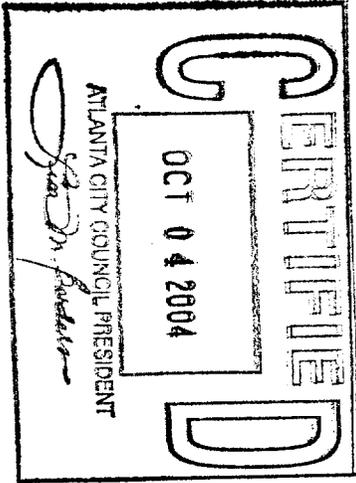


04-R-1713

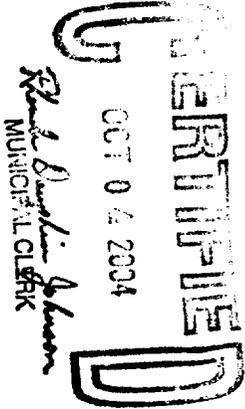
Entered - 12/30/03 - sb  
CL03L0979 - DIANNE C. MITCHELL



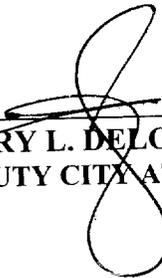
CLAIM OF: **JAMES R. SCHULZ**  
**2400 International Tower**  
**Peachtree Center**  
**229 Peachtree Street, NE**  
**Atlanta, Georgia 30303-1629**

For damages alleged to have been sustained as a result of payment of an unlawful professional license fee on January 12, 2001 and November 16, 2001.

THIS ADVERSED REPORT IS APPROVED



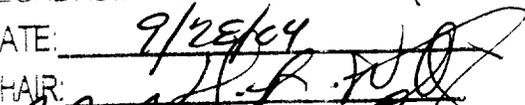
BY:

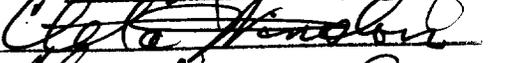
  
\_\_\_\_\_  
**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**

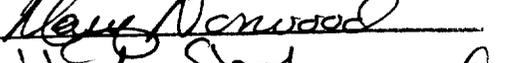
### ADVERSE REPORT

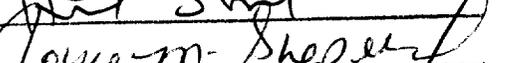
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 9/28/04

CHAIR: 







ADVERSED BY  
CITY OF ATLANTA  
OCT 04 2004



**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

October 8, 2004

**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**

James R. Schulz  
Attorney at Law  
2400 International Tower  
Peachtree Center  
229 Peachtree Street, NE  
Atlanta, Georgia 30303-1629

**04-R-1713**

**RE: James R. Schulz:**

Dear Attorney Schulz:

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 04, 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. 03L0979

Date: September 2, 2004

Claimant /Victim JAMES R. SCHULZ

BY: (Atty) \_\_\_\_\_

Address: 2400 International Tower, 229 Peachtree Street, NE, Atlanta, Georgia 30303-1629

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 800.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 12/10/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 01/21/01 & 11/16/01 Place: 55 Trinity Avenue

Department Finance Bureau: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he was illegally assessed and made to pay an occupational tax to practice law. However, the issues raised in the claim are being resolved through a lawsuit.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

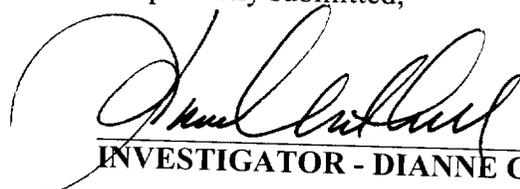
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

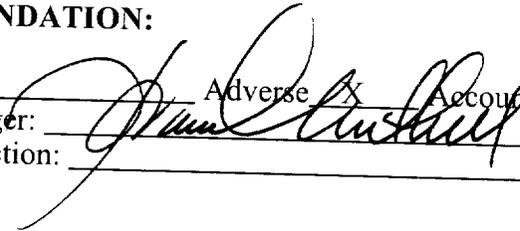
Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 09/09/04

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 6083  
10/04/04  
1:58 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 6-20 EXCEPT 04-O-1587 1588  
1589 1591 1592 1252 1254  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

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

CONSENT I

<b>10-04-04 Council Meeting</b>		
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 04-O-1418	38. 04-R-1683	60. 04-R-1705
2. 04-O-1441	39. 04-R-1684	61. 04-R-1706
3. 04-O-1565	40. 04-R-1685	62. 04-R-1707
4. 04-O-1567	41. 04-R-1686	63. 04-R-1708
5. 04-O-0438	42. 04-R-1687	64. 04-R-1709
6. 04-O-1507	43. 04-R-1688	65. 04-R-1710
7. 04-O-1559	44. 04-R-1689	66. 04-R-1711
8. 04-O-1572	45. 04-R-1690	67. 04-R-1712
9. 04-O-1582	46. 04-R-1691	68. 04-R-1713
10. 04-O-1728	47. 04-R-1692	69. 04-R-1714
11. 04-O-1732	48. 04-R-1693	70. 04-R-1715
12. 04-R-1655	49. 04-R-1694	71. 04-R-1716
13. 04-R-1421	50. 04-R-1695	72. 04-R-1717
14. 04-R-1668	51. 04-R-1696	
15. 04-R-1719	52. 04-R-1697	
16. 04-R-1487	53. 04-R-1698	
17. 04-R-1624	54. 04-R-1699	
18. 04-R-1673	55. 04-R-1700	
19. 04-R-1674	56. 04-R-1701	
20. 04-R-1675	57. 04-R-1702	
21. 04-R-1491	58. 04-R-1703	
22. 04-R-1659	59. 04-R-1704	
23. 04-R-1660		
24. 04-R-1661		
25. 04-R-1662		
26. 04-R-1663		
27. 04-R-1664		
28. 04-R-1665		
29. 04-R-1613		
30. 04-R-1676		
31. 04-R-1677		
32. 04-R-1678		
33. 04-R-1679		
34. 04-R-1680		
35. 04-R-1681		
36. 04-R-1682		
37. 04-R-1718		