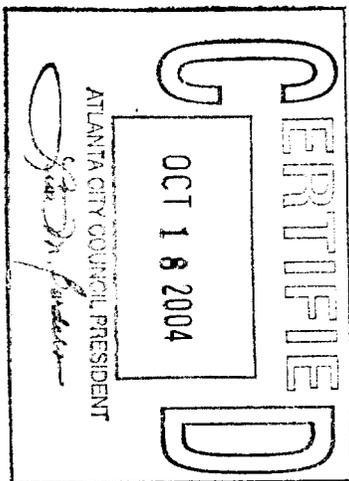


Entered - 04/04/03 - sb  
CL03L0263 - DIANNE C. MITCHELL

CLAIM OF: **ALENAH TSUTRAS,**  
through her attorney,  
**Diana Lynch**  
505 Pryor Street, SW  
Atlanta, Georgia 30312

**04-R-1792**

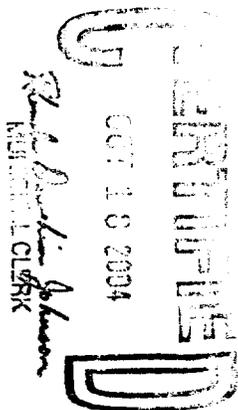


For damages alleged to have been sustained as a result of a vehicular accident on February 1, 2003 at Blairsbridge Road and Mt. Vernon Road.

THIS ADVERSED REPORT IS APPROVED

BY:

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

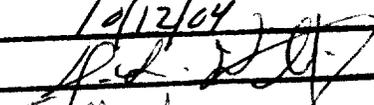


### ADVERSE REPORT

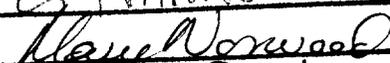
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 10/12/04

CHAIR: 



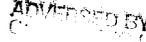




\_\_\_\_\_

\_\_\_\_\_

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ADVERSED BY  


OCT 18 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 30335  
(404) 330-6033  
FAX (404) 658-6103

October 19, 2004

Attorney Diana Lynch  
505 Pryor Street, Sw  
Atlanta, Georgia 30312

04-R-1792

RE: Alenah Tsutras

Dear Attorney Lynch:

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 18, 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. 03L0263

Date: September 29, 2004

Claimant /Victim ALENAH TSUTRAS

BY: (Atty) Diana Lynch

Address: 505 Pryor Street, SW, Atlanta, Georgia 30312

Subrogation: Claim for Property damage \$ Bodily Injury \$ 23,000.00

Date of Notice: 04/03/03 Method: Written, proper X Improper     

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

Date of Occurrence 02/14/03 Place: Blairsbridge Road and Mt. Vernon Road

Department Fire Bureau:     

Employee involved K. L. Green Disciplinary Action: 5 Day Suspension

NATURE OF CLAIM: The driver of the City vehicle lost control of same, drove left of the center lane and collided with the vehicle in which the claimant was driving. However, the claimant has rejected the settlement offer and has filed a lawsuit to resolve her claim.

INVESTIGATION:

Statements: City employee      Claimant      Others      Written      Oral     

Pictures X Diagrams      Reports: Police X 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      Damages reasonable     

City not involved      Offer rejected X 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 09/30/04

Committee Action:      Council Action



<b>10-04-04 Council Meeting</b>		
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 04-O-1570	38. 04-R-1772	48. 04-R-1783
2. 04-O-1586	39. 04-R-1773	49. 04-R-1784
3. 04-O-1667	40. 04-R-1774	50. 04-R-1785
4. 04-O-1669	41. 04-R-1775	51. 04-R-1786
5. 04-O-1670	42. 04-R-1776	52. 04-R-1787
6. 04-O-1671	43. 04-R-1777	53. 04-R-1788
7. 04-O-1672	44. 04-R-1778	54. 04-R-1789
8. 04-O-1658	45. 04-R-1779	55. 04-R-1790
9. 04-O-1807	46. 04-R-1780	56. 04-R-1791
10. 04-O-1810	47. 04-R-1781	57. 04-R-1792
11. 04-O-1813		58. 04-R-1793
12. 04-O-1817		59. 04-R-1794
13. 04-O-1850		
14. 04-O-1651		
15. 04-O-1654		
16. 04-O-1808		
17. 04-R-1472		
18. 04-R-1751		
19. 04-R-1798		
20. 04-R-1485		
21. 04-R-1759		
22. 04-R-1760		
23. 04-R-1761		
24. 04-R-1797		
25. 04-R-1824		
26. 04-R-1825		
27. 04-R-1762		
28. 04-R-1754		
29. 04-R-1755		
30. 04-R-1756		
31. 04-R-1757		
32. 04-R-1827		
33. 04-R-1799		
34. 04-R-1768		
35. 04-R-1769		
36. 04-R-1770		
37. 04-R-1771		