

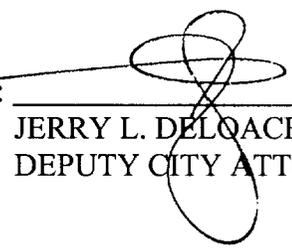
Entered - 11/03/03 - sb
CL - 03L0867 LISA CARTER

CLAIM OF: BESSIE GREEN
1459 Allegheny Street, SW
Atlanta, Georgia 30310

03-R-2210

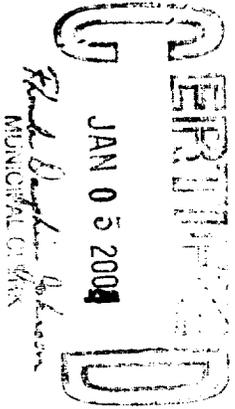
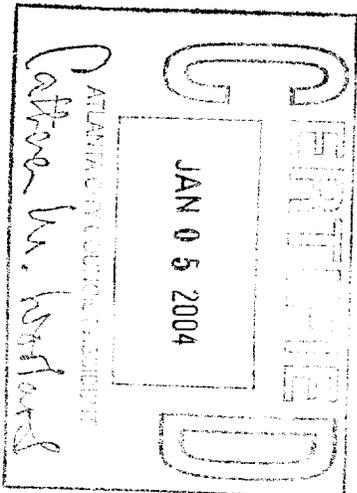
For damages alleged to have been sustained as a result of
water discoloration on October 6, 2003 at 1459 Allegheny
Street.

THIS ADVERSED REPORT IS
APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSED

JAN 05 2004

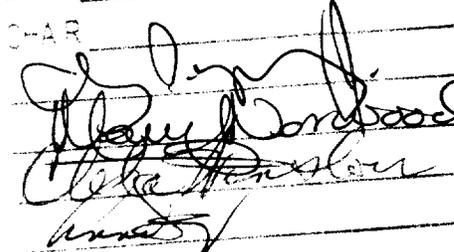
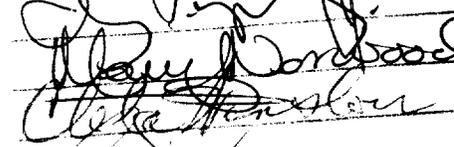
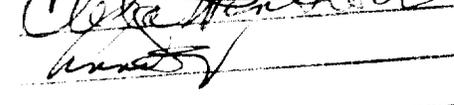


ADVERSE REPORT

PUBLIC SAFETY &
ADMINISTRATION COMMITTEE

DATE _____

CHAR _____



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

January 14, 2004

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

Bessie Green
1459 Allegheny St., SW
Atlanta, GA 30310

03-R-2210

Dear Ms. Green:

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 January 05, 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. 03L0867

Date: November 25, 2003

Claimant /Victim BESSIE GREEN

BY: (Atty) (Ins. Co.)

Address: 1459 Allegheny Street, SW Atlanta, Georgia 30310

Subrogation: Claim for Property damage \$ 300.00 Bodily Injury \$

Date of Notice: 10/28/03 Method: Written, proper X Improper

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

Date of Occurrence 10/06/03 Place: 1459 Allegheny Street, SW

Department Watershed Management Bureau: Water Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of water discoloration at 1459 Allegheny Street, SW. However, the city was not on notice of the existence of any problems with the water main 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 Ministerial X

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,

[Handwritten signature of Lisa Carter]

INVESTIGATOR - LISA CARTER

RECOMMENDATION:

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

Claims Manager: [Handwritten signature] Concur/date 11/25/03

Committee Action: Council Action

1-05-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-2225	32. 03-R-2192
2. 03-O-2161	33. 03-R-2193
3. 03-O-2221	34. 03-R-2194
4. 03-O-2175	35. 03-R-2195
5. 03-O-2229	36. 03-R-2196
6. 03-R-2171	37. 03-R-2197
7. 03-R-2214	38. 03-R-2198
8. 03-R-2215	39. 03-R-2199
9. 03-R-2233	40. 03-R-2200
10. 03-R-2219	41. 03-R-2201
11. 03-R-2172	42. 03-R-2202
12. 03-R-2174	43. 03-R-2203
13. 03-R-2176	44. 03-R-2204
14. 03-R-2246	45. 03-R-2205
15. 03-R-2247	46. 03-R-2206
16. 03-R-2248	47. 03-R-2207
17. 03-R-2226	48. 03-R-2208
18. 03-R-2232	49. 03-R-2209
19. 03-R-2237	50. 03-R-2210
20. 03-R-2178	
21. 03-R-2181	
22. 03-R-2182	
23. 03-R-2183	
24. 03-R-2184	
25. 03-R-2185	
26. 03-R-2186	
27. 03-R-2187	
28. 03-R-2188	
29. 03-R-2189	
30. 03-R-2190	
31. 03-R-2191	