

Entered - 11/20/03 - sb
CL - 03L0921 LISA CARTER

04-R-0109

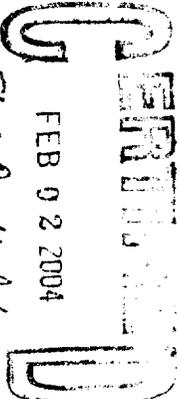
CLAIM OF: PROGRESSIVE INSURANCE
COMPANY
380 Interstate North Parkway Suite 100
Atlanta, Georgia 30339

For damages alleged to have been sustained as a result of an
automobile accident on October 18, 2003 at 709 Hortense
Place.

FEB 02 2004

THIS ADVERSED REPORT IS
APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY


FEB 02 2004
MUNICIPAL CLERK
Rita L. Simpson Johnson

ARE
UNFAVORABLE REPORT

PUBLIC SAFETY &
LEGAL SERVICES DIVISION
DATE: 1/27/04
CHIEF: *Clara Weasler*
Robert Dowd
Mark Smith
Anna Smith
Carla Smith



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

February 6, 2004

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

Progressive Insurance Company
Attn: Stacy M. Sears
380 Interstate North Parkway
Suite 100
Atlanta, GA 30339

04-R-0109

Dear Ms. Sears:

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 February 02, 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. 03L0921

Date: January 13, 2004

Claimant /Victim PROGRESSIVE INSURANCE COMPANY

BY: (Atty) (Ins. Co.) Brenda Belcher

Address: 380 Interstate North Parkway, Suite 100 Atlanta, Georgia 30339

Subrogation: X Claim for Property damage \$ _____ Bodily Injury \$ _____

Date of Notice: 11/14/03 Method: Written, proper X Improper _____

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

Date of Occurrence 10/18/03 Place: 709 Hortense Place

Department Parks, Recreation and Cultural Affairs Bureau: Parks Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of an automobile accident with a city vehicle at 709 Hortense Place. However, the claimant's insurance carrier has advised that its insured did not have collision coverage at the time of the accident and has withdrawn its claim. The claimant's insured was advised to file an individual claim for her damages.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written _____ Oral X

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 _____

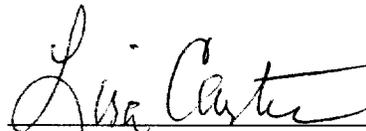
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

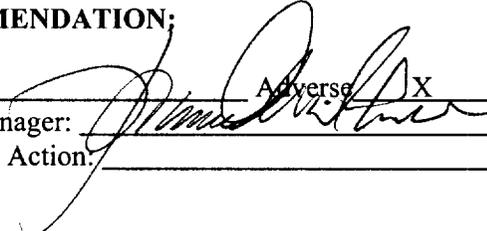
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

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

Claims Manager:  Concur/date 01/11/04

Committee Action _____ Council Action _____

2-02-4 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0033	41. 04-R-0088
2. 04-O-0037	42. 04-R-0089
3. 04-O-0151	43. 04-R-0090
4. 04-O-0159	44. 04-R-0091
5. 04-O-0153	45. 04-R-0092
6. 04-R-0176	46. 04-R-0093
7. 04-R-0133	47. 04-R-0094
8. 04-R-0178	ITEMS ADVERSED
9. 04-R-2123	ON CONSENT
10. 04-R-0135	48. 04-R-0096
11. 04-R-0136	49. 04-R-0097
12. 04-R-0137	50. 04-R-0098
13. 04-R-0138	51. 04-R-0099
14. 04-R-0139	52. 04-R-0100
15. 04-R-0145	53. 04-R-0101
16. 04-R-0146	54. 04-R-0102
17. 04-R-0147	55. 04-R-0103
18. 04-R-0148	56. 04-R-0104
19. 04-R-0149	57. 04-R-0105
20. 04-R-0150	58. 04-R-0106
21. 04-R-0154	59. 04-R-0107
22. 04-R-0160	60. 04-R-0108
23. 04-R-0161	61. 04-R-0109
24. 04-R-0162	62. 04-R-0110
25. 04-R-0164	63. 04-R-0111
26. 04-R-0184	64. 04-R-0112
27. 04-R-0140	65. 04-R-0113
28. 04-R-0170	66. 04-R-0114
29. 04-R-0076	67. 04-R-0115
30. 04-R-0077	68. 04-R-0116
31. 04-R-0078	69. 04-R-0117
32. 04-R-0079	70. 04-R-0118
33. 04-R-0080	71. 04-R-0119
34. 04-R-0081	72. 04-R-0120
35. 04-R-0082	73. 04-R-0121
36. 04-R-0083	74. 04-R-0122
37. 04-R-0084	75. 04-R-0123
38. 04-R-0085	76. 04-R-0124
39. 04-R-0086	
40. 04-R-0087	