

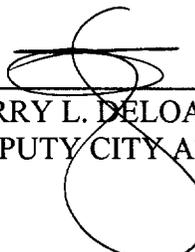
Entered - 10/01/03 - sb  
CL - 03L0787 LISA CARTER

CLAIM OF: PROGRESSIVE INSURANCE,  
as subrogee of Felicia Hand  
P.O. Box 89440  
Cleveland, Ohio 44101-1807

04-*R*-0282

For damages alleged to have been sustained as a result of an automobile accident on June 13, 2002 at Piedmont Avenue, NE and Harris Street, NE.

THIS ADVERSED REPORT IS APPROVED

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

ADVERSED

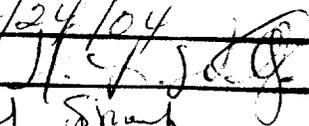
MAR 01 2004

# ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 2/24/04

CHAIR: 

Hand Smith

Carla Smith

Carla Smith

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MAR 01 2004

**CERTIFIED**  
MAR 01 2004  
*Felicia Hand*  
MUNICIPAL CLERK

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0787

Date: February 10, 2004

Claimant /Victim PROGRESSIVE INSURANCE as subrogee Felicia Hand

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: P. O. Box 89440 Cleveland, Ohio 44101-1807

Subrogation:  Claim for Property damage \$ 7,989.40 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 09/22/03 Method: Written, proper  Improper \_\_\_\_\_

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

Date of Occurrence 06/13/02 Place: Piedmont Avenue, NE and Harris Street, NE

Department Fire Services Bureau: \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved Hosea D. McAdams Disciplinary Action: No action taken

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of an automobile accident at Piedmont Avenue, NE and Harris Street, NE. However, the investigation determined that the driver of the claimant's vehicle was at fault in that he failed to yield right-of-way to an emergency vehicle. Furthermore, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. § 36-33-5, in that the six month statute of limitations expired prior to receipt of the claim.

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  Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months  Other  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  Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager: *[Signature]* Concur/date 02/12/04

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

RCS# 5475  
3/01/04  
3:54 PM

Atlanta City Council

Regular Session

CONSENT I                    CONSENT I , EXCEPT: 04-O-0328,04-O-0047  
04-O-0221,04-R-0309,04-O-0324,04-O-0216  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

3-01-04 Council Meeting	
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>
<ol style="list-style-type: none"> <li>1. 04-O-0324</li> <li>2. 04-O-0328</li> <li>3. 04-O-0332</li> <li>4. 04-O-0337</li> <li>5. 04-O-0338</li> <li>6. 04-O-0339</li> <li>7. 04-O-0155</li> <li>8. 04-O-0047</li> <li>9. 04-O-0221</li> <li>10. 04-O-0251</li> <li>11. 04-R-0039</li> <li>12. 04-R-0305</li> <li>13. 04-R-0306</li> <li>14. 04-R-0307</li> <li>15. 04-R-0308</li> <li>16. 04-R-0353</li> <li>17. 04-R-0298</li> <li>18. 04-R-0301</li> <li>19. 04-R-0313</li> <li>20. 04-R-0344</li> <li>21. 04-R-0345</li> <li>22. 04-R-0366</li> <li>23. 04-R-0248</li> <li>24. 04-R-0297</li> <li>25. 04-R-0325</li> <li>26. 04-R-0326</li> <li>27. 04-R-0336</li> <li>28. 04-R-0343</li> <li>29. 04-R-0355</li> <li>30. 04-R-0299</li> <li>31. 04-R-0316</li> <li>32. 04-R-0062</li> <li>33. 04-R-0302</li> <li>34. 04-R-0303</li> <li>35. 04-R-0304</li> <li>36. 04-R-0309</li> <li>37. 04-R-0354</li> <li>38. 04-R-0275</li> <li>39. 04-R-0276</li> <li>40. 04-R-0277</li> </ol>	<ol style="list-style-type: none"> <li>41. 04-R-0278</li> <li>42. 04-R-0279</li> <li>43. 04-R-0280</li> </ol> <p style="margin-left: 0;"><b>ITEMS ADVERSED ON CONSENT</b></p> <ol style="list-style-type: none"> <li>44. 04-R-0281</li> <li>45. 04-R-0282</li> <li>46. 04-R-0283</li> <li>47. 04-R-0284</li> <li>48. 04-R-0285</li> <li>49. 04-R-0286</li> <li>50. 04-R-0287</li> <li>51. 04-R-0288</li> <li>52. 04-R-0289</li> <li>53. 04-R-0290</li> <li>54. 04-R-0291</li> <li>55. 04-R-0292</li> <li>56. 04-R-0293</li> <li>57. 04-R-0294</li> <li>58. 04-R-0295</li> <li>59. 04-R-0296</li> </ol>