



700 NO -  
ATLANTA, GEORGIA

04-O- 04-0-0397

AN ORDINANCE

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF EARLENE HOGAN V. OLA GREEN STEPHENS, IN THE STATE COURT OF FULTON COUNTY, GEORGIA, CIVIL ACTION FILE NO. 03VS050874, IN THE AMOUNT OF \$6,000.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; WAIVING CITY OF ATLANTA CODE OF ORDINANCES SECTION 2-783(h) FOR THIS INSTANCE ONLY; AND FOR OTHER PURPOSES.

WHEREAS, on July 17, 2002, City of Atlanta employee Ola Green Stephens, while operating a City of Atlanta motor vehicle, was involved in a collision with the motor vehicle being operated by Earlene Hogan; and

WHEREAS, as a result of the collision Ms. Hogan suffered personal injury, pain and suffering; and

WHEREAS, Ms. Hogan has brought suit in the State Court of Fulton County seeking damages for personal injury, lost wages, medical expenses, and physical pain and suffering; and

WHEREAS, Ms. Hogan has incurred approximately \$3,600.00 in medical expenses related to injuries resulting from the collision; and

WHEREAS, counsel for the parties have tentatively agreed to resolve all claims in this matter for a total of \$6,000.00, including attorney's fees, contingent upon the approval of the Atlanta City Council and the Mayor; and

WHEREAS, by this settlement Ms. Stephens admits no liability or wrongdoing, nor are either implied on the part of the City of Atlanta; and



WHEREAS, the offer of settlement acceptable to Plaintiff is, in the opinion of the City Attorney, appropriate to settle all claims against Ms. Stephens arising out of the case of Earlene Hogan v. Ola Green Stephens.

THE COUNCIL OF THE CITY OF ATLANTA, HEREBY ORDAINS as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of Earlene Hogan v. Ola Green Stephens in the amount of Six Thousand Dollars (\$6,000.00).

SECTION 2. The Chief Financial Officer is authorized to pay the total of Six Thousand Dollars (\$6,000.00) from the account of 1A01-529017-T31001, "Settlement of Suits and Claims." Payment shall be in the form of a check in the amount of \$6,000.00, payable to Earlene Hogan and Jack O. Morse, Esq. Such payment will be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers, employees, and agents.

SECTION 3. To the extent Section 2-783(h) of the Code of Ordinances of the City of Atlanta is in conflict herewith, that subsection is waived for this instance only to permit the payment of \$6,000.00 on behalf of Ms. Ola Green Stephens.

A true copy,  
*Ronla Daughin Johnson*  
Municipal Clerk

ADOPTED by the Council  
APPROVED by the Mayor

April 19, 2004  
April 27, 2004



WHEREAS, the offer of settlement acceptable to Plaintiff is, in the opinion of the City Attorney, appropriate to settle all claims against Ms. Stephens arising out of the case of Earlene Hogan v. Ola Green Stephens.

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04-0-0397

(Do Not Write Above This Line)

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Jerry L. DeLoach  
Deputy City Attorney

ADOPTED  
APR 19 2004

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred: 3/15/2004  
Referred To: Public Safety & Legal Administration  
Date Referred: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Date Referred: \_\_\_\_\_  
Referred To: \_\_\_\_\_

Committee: PSUA  
Date: 3-15-04  
Chair: J. M. ...  
Referred To: PSUA

Committee: PSUA  
Date: 3/30/2004  
Chair: H. ...  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
Other: \_\_\_\_\_

Members: \_\_\_\_\_  
Refer To: \_\_\_\_\_

Committee: \_\_\_\_\_  
Date: \_\_\_\_\_  
Chair: \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
Other: \_\_\_\_\_

Members: \_\_\_\_\_  
Refer To: \_\_\_\_\_

Committee: \_\_\_\_\_  
Date: \_\_\_\_\_  
Chair: \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
Other: \_\_\_\_\_

Committee: \_\_\_\_\_  
Date: \_\_\_\_\_  
Chair: \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
Other: \_\_\_\_\_

Refer To: \_\_\_\_\_

Refer To: \_\_\_\_\_

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED

CERTIFIED  
APR 10 2004

COUNCIL PRESIDENT PROTECTOR

CERTIFIED  
APR 19 2004

Municipal Clerk

MAYOR'S ACTION

APR 27 2004  
Mayor's Signature

MAYOR