



MUNICIPAL CLERK  
ATLANTA, GEORGIA

04-R-0587

A RESOLUTION

BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Nationwide Mutual Fire Insurance Company, as subrogee of Dedric Jacobs** in the sum of **\$1,169.95** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of an automobile accident on January 31, 2004 at 1592 Elixir Avenue, SE** as set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Council  
APPROVED by the Mayor

April 19, 2004  
April 27, 2004

RCS# 5585  
4/19/04  
3:03 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-18, EXCEPT:04-R-0538  
04-O-0487 04-R-0473  
ADOPT

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

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

CONSENT I

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DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0134

Date: March 8, 2004

Claimant/Victim NATIONWIDE MUTUAL FIRE INSURANCE COMPANY as subrogee of Dedric Jacobs

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

Address: P.O. Box 30000 Raleigh, NC 27622

Subrogation: X Claim for Property damage \$ 1,1169.95 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 02/19/04 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 01/31/04 Place: 1592 Elixir Avenue, SE

Department Watershed Management Bureau: Water Division: \_\_\_\_\_

Employee involved Gloria Johnson Disciplinary Action: Written reprimand/Defensive driving course

NATURE OF CLAIM: The driver of the city vehicle side swiped the claimant's parked vehicle causing damages in the above amount

INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written X Oral \_\_\_\_\_

Pictures X Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

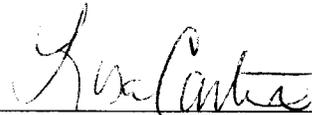
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 1,169.95 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2P01 \_\_\_\_\_

Claims Manager: [Signature] Concur/date 03/17/04

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



P.O. Box 1612 \* 4500 North Point Pkwy \* Alpharetta, GA 30009-1612

*Carter*  
*02/19/04*

February 16, 2004

City of Atlanta Legal Dept  
Attn Lisa Carter  
68 Mitchell St SW  
Suite 4100  
ATLANTA, GA 30303

ENTERED - 2-26-04 - SB  
04L0134 - LISA CARTER

**YOUR INSURED :** City Of Atlanta Water  
**YOUR INSURED'S ADDRESS :** U  
Atlanta, GA 30338

**YOUR POLICY NUMBER :**  
**ACCIDENT LOCATION :** 1592 ELIXIR AVE SE ATLANTA 30314FULTON  
**DATE OF ACCIDENT :** 01-31-2004  
**OUR INSURED :** Dedric Jacobs  
**OUR CLAIM NUMBER :** 77 10 P 570515 01312004 01

RE: see enclosed copy of Police Report.

We have been informed that you are the insurance carrier for City Of Atlanta Water. Our investigation of the accident between our respective insureds indicates that your insured was responsible.

Please accept this letter as notice of our subrogation rights.

We will contact you with the amount due and provide you with our supporting documents.

Thank you for your cooperation.

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY  
Jacqueline Vieux  
Claims Department  
(770)667-6664

04-*R*-0587

**ADOPTED BY**  
**COUNCIL**  
APR 19 2004

Entered - 02/16/04 - sb  
CL - 04L0134 - LISA CARTER

**CLAIM OF: NATIONWIDE MUTUAL FIRE INSURANCE COMPANY, as subrogee of Dedric Jacobs P.O. Box 30000 Raleigh, NC 27622**

**04- R -0587**

For damages alleged to have been sustained as a result of an automobile accident on January 31, 2004 at 1592 Elixir Avenue, SE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **NATIONWIDE MUTUAL FIRE INSURANCE COMPANY, as subrogee of Dedric Jacobs** the sum of **\$1,169.95** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on January 31, 2004 at 1592 Elixir Avenue, SE as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**.

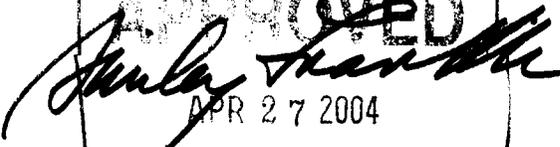
**APPROVED: LINDA K. DISANTIS CITY ATTORNEY**

BY:   
**JERRY L. DELOACH DEPUTY CITY ATTORNEY**

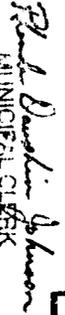
**FAVORABLE REPORT**

PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

DATE: 3/30/04  
CHAIR: [Signature]  
[Signature]  
[Signature]  
[Signature]

**APPROVED**  
  
APR 27 2004  
**MAYOR**

**CERTIFIED**  
  
PRESIDENT

**CERTIFIED**  
  
MUNICIPAL CLERK