

Entered - 12-4-03 - sb  
CL 03L0938 - GWENDOLYN BURNS

CLAIM OF: **NATIONWIDE MUTUAL  
INSURANCE COMPANY**  
as subrogee of  
**HYGUE DULCIO**  
P.O. Box 3000  
Raleigh, NC 27622

**04- R-0003**

JAN 20 2004

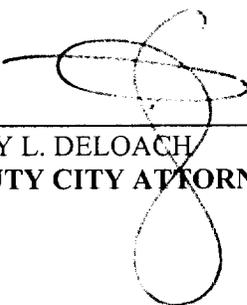
For vehicular damages alleged to have been sustained as a result of an automobile accident on October 10, 2002 at Interstate 75/85 ramp & Martin Luther King, Jr. Drive.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:**

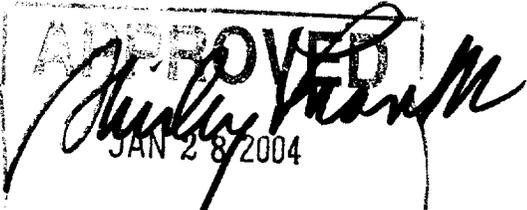
**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **NATIONWIDE MUTUAL INSURANCE COMPANY** as subrogee of **HYGUE DULCIO** the sum of **\$684.66** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on October 10, 2002 at Interstate 75/85 ramp & Martin Luther King, Jr. Drive as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

**CERTIFIED**  
JAN 20 2004  
*Rachel Dunbar*  
MUNICIPAL CLERK

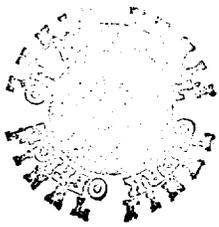
APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

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

**ADOPTED BY**  
JAN 20 2004  
**COUNCIL**

**APPROVED**  
  
JAN 28 2004  
**MAYOR**

**FAVORABLE REPORT**  
COMM: Public Safety  
DATE: 1-19-04  
CHAIR: H. J. Pitt  
C. T. Martin  
Harold Shook  
Carla Smith



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

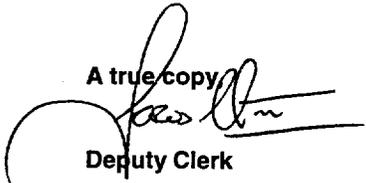
**04-R-0003**

**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 Insurance Company** as subrogee of **Hygue Dulcio** in the sum of **\$684.66** 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 **October 10, 2002** at **Interstate 75/85 ramp & Martin Luther King, Jr. Drive** as set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy

  
Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

**JAN 20, 2004**  
**JAN 28, 2004**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0938

Date: December 29, 2003

Claimant /Victim HUGUE DULCIO
BY: (Atty) (Ins. Co.) NATIONWIDE MUTUAL INSURANCE COMPANY
Address: P.O. Box 30000, Raleigh, North Carolina 27622
Subrogation: X Claim for Property damage \$ 684.66 Bodily Injury \$
Date of Notice: 11/4/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/10/02 Place: Interstate 75/85 ramp of Martin Luther King, Jr. Drive
Department PUBLIC WORKS Division Street Operations
Employee involved David Mills Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was rear-ended by a City vehicle. The city employee was sited for "following too closely".

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 684.66 Adverse Account charged: 1A01 X 2J01 2P01 2H01
Claims Manager: Concur/date 12/30/03
Committee Action Council Action

RCS# 5345  
1/20/04  
1:36 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-7 EXCEPT: 03-O-1954  
03-O-2109  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

<b>1-20-4 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 04-O-0050	22. 04-R-0007
2. 04-O-0042	23. 04-R-0008
3. 03-O-2170	24. 04-R-0009
4. 03-O-1185	25. 04-R-0010
5. 03-O-2179	26. 04-R-0011
6. 03-O-0318	27. 04-R-0012
7. 04-R-0046	28. 04-R-0013
8. 04-R-0054	29. 04-R-0014
9. 04-R-0063	30. 04-R-0015
10. 04-R-0064	31. 04-R-0016
11. 04-R-0065	32. 04-R-0017
12. 03-R-0034	33. 04-R-0018
13. 03-R-2216	34. 04-R-0019
14. 04-R-0036	35. 04-R-0020
15. 04-R-0038	<b>36.</b> 04-R-0021
16. 04-R-0001	37. 04-R-0022
17. 04-R-0002	38. 04-R-0023
18. 04-R-0003	39. 04-R-0024
19. 04-R-0004	40. 04-R-0025
20. 04-R-0005	41. 04-R-0026
21. 04-R-0006	42. 04-R-0027
	43. 04-R-0028
	44. 04-R-0029