

## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

April 29, 2004

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

James Brantley  
Attorney at Law  
230 Peachtree St., NW  
Suite 2650  
Atlanta, GA 30303-1515

04-R-0553

RE: Lenecia Anderson

Dear Attorney Brantley:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's claim at its regular meeting on April 19, 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. 03L0978

Date: March 12, 2004

Claimant /Victim LENEZIA ANDERSON

BY: (Atty) James Brantley

Address: 230 Peachtree Street, NW, Suite 2650, Atlanta, Georgia 30303-1515

Subrogation: Claim for Property damage \$ Bodily Injury \$ 22,994.66

Date of Notice: 12/19/03 Method: Written, proper X Improper

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

Date of Occurrence 06/19/03 Place: Hartsfield-Jackson International Airport

Department Aviation Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when she fell on "defectively worn and dangerous flooring". The investigation determined that the area where the alleged injury occurred is under the control of the Atlanta Airlines Terminal Corporation (AATC). The claim has been forwarded to AATC's insurance carrier for handling.

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 X Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

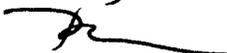
RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager: [Handwritten signature] Concur/date 03/17/04

Committee Action: Council Action

**JAMES BRANTLEY**  
Attorney At Law

Mitchell  
12/30/03  


230 Peachtree Street, NW  
Suite 2650  
Atlanta, Georgia 30303-1515

Telephone: (404) 577-3500  
Facsimile: (404) 577-0366

ENTERED - 12-30-03 - SB  
03L0978 - DIANNE MITCHELL

December 17, 2003

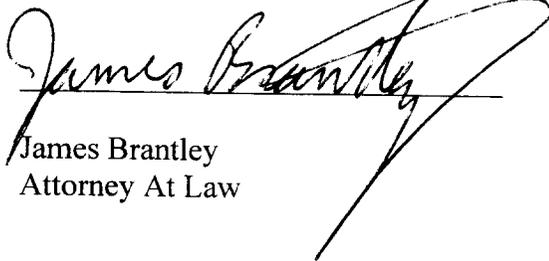
**Certified Receipt No. 7002 3150 0000 5851 6326**  
**Return Receipt Requested**

Attn. Claims Department  
Linda DiSantis, City Attorney  
City of Atlanta Law Department  
68 Mitchell ST, SW, STE 4100  
Atlanta, Georgia 30335

**SETTLEMENT OFFER**

**Lenecia Anderson v. City of Atlanta**

CLIENT: Lenecia Anderson  
INJURY DATE: June 19, 2003  
Injury Place: Hartsfield-Jackson Airport  
OUR FILE NO: 03-306

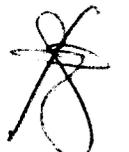
  
James Brantley  
Attorney At Law

**RECEIVED**

 DEC 19 2003

CITY OF ATLANTA LAW DEPT.

Enclosures include - Ante Litem Notice  
Cc: Rhonda Dauphin Johnson, Municipal Clerk, Receipt No. 7002 3150 0000 5851 6326

  
DM

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**NOTICE OF DEMAND BEFORE BRINGING SUIT**  
**(ANTE LITEM NOTICE)**

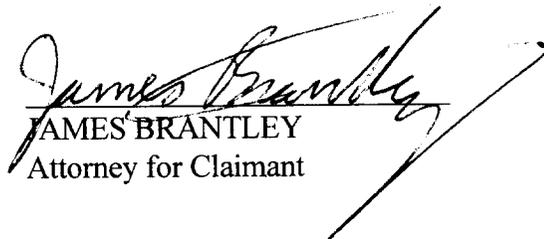
**Certified Receipt No. 7002 3150 0000 5851 6319**  
**Return Receipt Requested**

To: Rhonda Dauphin Johnson, Municipal Clerk  
City of Atlanta  
Atlanta City Hall, STE 2700  
55 Trinity Avenue, SW  
Atlanta, GA 30335

**YOU ARE HEREBY NOTIFIED**, pursuant to O.C.G.A. §36-33-5 (written demand prerequisite to action for injury to person or property against a municipal corporation), that on June 19, 2003, Ms. Lenecia Anderson was seriously injured at Hartsfield-Jackson International Airport as the result of a slip and fall. A rubber threshold, that separated two different types of flooring, was defectively worn and dangerous. As Ms. Anderson was walking through the airport on June 19, 2003 the heel of her shoe landed on the rubber threshold, and said rubber threshold gave way, and Ms. Anderson was slammed to the ground. Ms. Anderson incurred serious injury. Her ankle was sprained, and her hand, upon impact with the airport's marble floors was cut.

Pursuant to O.C.G.A. §36-33-5, Ms. Anderson demands compensation for her claim in the amount of \$100,000.00.

This Wednesday, December 17, 2003.

  
JAMES BRANTLEY  
Attorney for Claimant

James Brantley  
Attorney at Law  
230 Peachtree ST, NW, STE 2650  
Atlanta, GA 30303-2711  
Telephone: (404) 577-3500  
Facsimile: (404) 577-0366

Cc: Ms. Lenecia Anderson  
Linda DiSantis, City Attorney [Certified Receipt #7002 3150 0000 5851 6326]

04- R-0553

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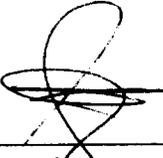
Entered - 12/30/03 - sb  
CL03L0978 - DIANNE C. MITCHELL

CLAIM OF: **LENECIA ANDERSON,**  
through her attorney,  
**James Brantley**  
230 Peachtree Street, NW  
Suite 2650  
Atlanta, Georgia 30303-1515

**04-R-0553**

For damages alleged to have been sustained as a result of personal injuries due to a fall on June 19, 2003 at the airport.

THIS ADVERSED REPORT IS APPROVED

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

**CERTIFIED**  
APR 19 2004  
COUNCIL PRESIDENT PROTEM

**CERTIFIED**  
APR 19 2004  
Renee Dunbar  
MUNICIPAL CLERK

**ADVERSE REPORT**

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 3/30/07

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

APR 19 2004