

05-R-1176

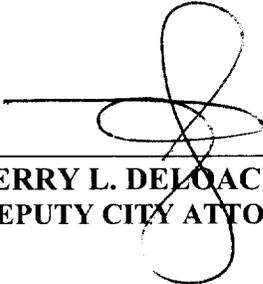
Entered - 02/11/05 - sb
CL05L0099 - DIANNE C. MITCHELL

CLAIM OF: **MELISSA GEVO,**
through her attorney,
John C. Manus
Suite 2015
20 Executive Park West
Atlanta, Georgia 30329

For damages alleged to have been sustained as a result of a fall on October 5, 2004 at the Hartsfield-Jackson Atlanta International Airport.

THIS ADVERSED REPORT IS APPROVED

BY:



JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/28/05

CHAIR Clela Henshaw

Harold Shih

C.T. Martey

Joyce M. Steyer

Maye Bonwood

RECEIVED
JUL 0 9 2005
Rita Jackson Johnson
MUNICIPAL CLERK

ADVERSED BY
CITY COUNCIL
JUL 0 9 2005



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK
July 12, 2005

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

John C. Manus
Attorney at Law
20 Executive Park West
Suite 2015
Atlanta, GA 30329

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

05-R-1176

RE: Melissa Gevo

Dear Attorney Manus:

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 July 05, 2005. 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. 05L0099

Date: June 10, 2005

Claimant /Victim MELISSA GEVO
BY:(Atty) John C. Manus
Address: Suite 2015, 20 Executive Park West, Atlanta, Georgia 30329
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 02/02/05 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/05/04 Place: Hartsfield-Jackson Atlanta International Airport
Department Aviation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM:

INVESTIGATION: The claimant alleges that she was injured when she fell when the wheel on her luggage became lodged in an expansion joint in the South Parking Deck. This claim has been forwarded to the City's insurance carrier, AIG Aviation for handling.

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 X Ministerial
Improper Notice More than Six Months Other X 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,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: [Signature] Concur/date 06/14/05
Committee Action: Council Action

RCS# 6810
7/05/05
3:03 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 5-19 EXCEPT 05-R-1140

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

CONSENT I

7/05/05

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-1198 2. 05-O-1071 3. 05-O-1050 4. 05-O-1051 5. 05-O-1206 6. 04-O-1364 7. 05-O-1058 8. 05-O-1059 9. 05-O-1083 10. 05-O-1092 11. 05-R-0113 12. 05-R-1213 13. 05-R-1007 14. 05-R-1046 15. 05-R-1048 16. 05-R-1088 17. 05-R-1137 18. 05-R-1138 19. 05-R-1139 20. 05-R-1141 21. 05-R-1196 22. 05-R-1239 23. 05-R-1136 24. 05-R-1124 25. 05-R-1125 26. 05-R-1130 27. 05-R-1193 28. 05-R-1197 29. 05-R-1212 30. 05-R-1237	31. 05-R-1142 32. 05-R-1143 33. 05-R-1144 34. 05-R-1145 35. 05-R-1146 36. 05-R-1147 37. 05-R-1148 38. 05-R-1149 39. 05-R-1150 40. 05-R-1151 41. 05-R-1152 42. 05-R-1238	43. 05-R-1153 44. 05-R-1154 45. 05-R-1155 46. 05-R-1156 47. 05-R-1157 48. 05-R-1158 49. 05-R-1159 50. 05-R-1160 51. 05-R-1161 52. 05-R-1162 53. 05-R-1163 54. 05-R-1164 55. 05-R-1165 56. 05-R-1166 57. 05-R-1167 58. 05-R-1168 59. 05-R-1169 60. 05-R-1170 61. 05-R-1171 62. 05-R-1172 63. 05-R-1173 64. 05-R-1174 65. 05-R-1175 66. 05-R-1176 67. 05-R-1177 68. 05-R-1178 69. 05-R-1179 70. 05-R-1180 71. 05-R-1181 72. 05-R-1182 73. 05-R-1183 74. 05-R-1184 75. 05-R-1185 76. 05-R-1186 77. 05-R-1187 78. 05-R-1188 79. 05-R-1189 80. 05-R-1190 81. 05-R-1191