

Entered - 04/25/05 - sb
CL- 05L0337 - ANGELENA KELLY

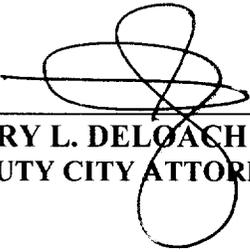
05-R-1182

Claim of: Robert Dickerson
1731 Cascade Terrace
Atlanta, GA 30311

For damages alleged to have been sustained as a result of
an errant golf ball on April 4, 2005 at 1731 Cascade
Terrace, SW.

THIS ADVERSED REPORT IS APPROVED

BY:



JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/28/05
CHAIR: Clara Amisler

H. J. Slaw
C. T. Martin

Joyce M. Shepherd

Mary Rowland

JUL 05 2005

RECEIVED
JUL 05 2005
Renee Dunlap
MUNICIPAL CLERK

ADVERSED BY
CITY COUNCIL

JUL 05 2005



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

July 11, 2005

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

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

Robert Dickerson
1731 Cascade Terrace
Atlanta, GA 30311

05-R-1182

Dear Mr. Dickerson:

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 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.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 05L0337

Date: June 14, 2005

Claimant /Victim: Robert Dickerson

BY:(Atty)(Ins. Co.) _____

Address: 1731 Cascade Terrace, SW, Atlanta, GA 30311

Subrogation: _____ Claim for Property damage \$ 300.00 Bodily Injury \$ _____

Date of Notice: 4/20/05 Method: Written, proper X Improper _____

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

Date of Occurrence: 4/4/05 Place: 1731 Cascade Terrace, SW

Department: PRCA Bureau: Parks

Employee involved: _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges his window was damaged when it was struck by a golf ball. However, the investigation determined that the ball was hit by an unknown golfer at the John A. White golf course. The city is not responsible for the tort actions of third parties.

INVESTIGATION:

Statements: City employee _____ Claimant X Others _____ Written X Oral _____

Pictures _____ Diagrams _____ Reports: Police X 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 _____

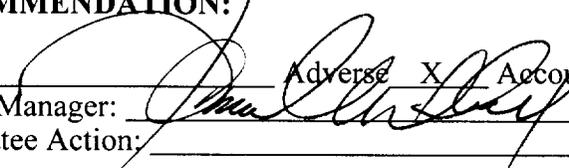
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ANGELENA KELLY

RECOMMENDATION:

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

Claims Manager:  Concur/date 06/15/05

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