

ADVERSE
CITY COUNCIL
MAR 2 1 2005

Entered - 11/29/04 - sb
CL04L0817 - DIANNE C. MITCHELL

05-*R*-0444

CLAIM OF: **DELORIS A. REED**
27 Ludlow Street
Apt. 6B
Yonkers, New York 10705

For damages alleged to have been sustained as a result of a slip and fall on May 16, 2004 at the Atlanta Hartsfield-Jackson International Airport.

THIS ADVERSED REPORT IS APPROVED

BY: _____

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 3/15/05

CHAIR: Clate Venslow

[Signature]

Mary Howard

H. D. Syed

Carla Smith

MAR 2 1 2005



OFFICE OF MUNICIPAL CLERK

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

March 25, 2005

Deloris A. Reed
27 Ludlow Street
Apartment 6B
Yonkers, New York 10705

05-R-0444

Dear Ms. Reed:

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 March 21, 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. 04L0817

Date: March 3, 2005

Claimant /Victim DELORIS A. REED

BY: (Atty)(Ins. Co.)

Address: 27 Ludlow Street, Apt. 6B, Yonkers, New York 10705

Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated

Date of Notice: 11/12/04 Method: Written, proper X Improper

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

Date of Occurrence 05/16/04 Place: Atlanta Hartsfield-Jackson International Airport

Department Aviation Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she was injured when she slipped and fell in the airport terminal building. The claim has been forwarded to the insurance carrier for the Atlanta Airlines Terminal Corporation as this area is under its maintenance and control.

INVESTIGATION:

Statements: City employee Claimant Others Written 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 X 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: [Signature] Concur/date

Committee Action: Council Action

RCS# 6559
3/21/05
2:26 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 4-16 EXCEPT
05-R-0499 04-O-2111
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

CONSENT I