

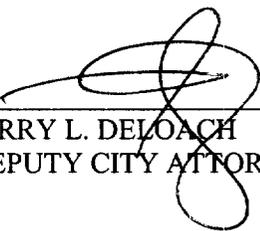
Entered - 03-09-04  
CL 04L0166 - GWENDOLYN BURNS

05-R -0929

**CLAIM OF: JAMES COATES**  
through his attorney  
**Kirby Clements, Jr.**  
Attorney at Law  
**The Clements Law Group, LLC**  
4555 Flat Shoals Parkway, Suite 106  
Decatur, Georgia 30034

For damages alleged to have been sustained from a wrongful arrest  
by Atlanta Police on June 13, 2001 at 1150 Peachtree Street, NW.

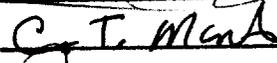
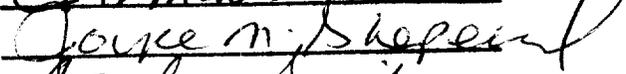
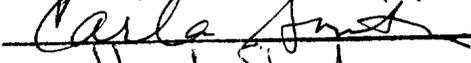
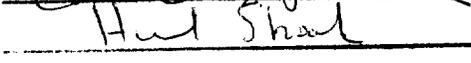
THIS ADVERSED REPORT IS APPROVED

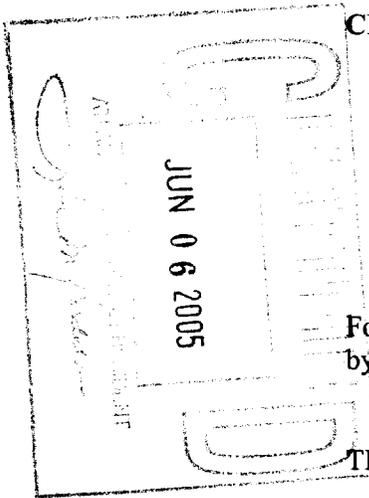
BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

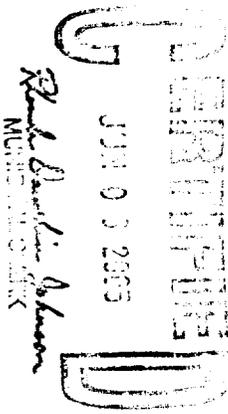
### ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 5/3/05  
CHAIR: 





ADVERSED BY  
CITY COUNCIL

JUN 06 2005



**CITY OF ATLANTA**  
**OFFICE OF MUNICIPAL CLERK**  
June 13, 2005

**RHONDA DAUPHIN JOHNSON, CMC**  
**MUNICIPAL CLERK**

Kirby Clements, Jr.  
Attorney at Law  
The Clements Law Group, LLC  
4555 Flat Shoals Parkway, Suite 106  
Decatur, Georgia 30034

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

**05-R-0929**

**RE: James Coates**

Dear Attorney Clements:

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 June 06, 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. 04L0166

Date: May 17, 2005

Claimant /Victim JAMES COATES
BY: (Atty) (Ins. Co.) Kirby Clements, Jr., Esq. THE CLEMENTS LAW GROUP, LLC
Address: Providence Park Office Community, 4555 Flat Shoals Parkway, Suite 106, Decatur, Georgia 30034
Subrogation: Claim for Property damage \$ Bodily Injury \$ unspecified
Date of Notice: 3/1/04 Method: Written, Proper Improper X
Conforms to Notice: O.C.G.A. §36-33-5 Ante Litem (6 Mo.)
Date of Occurrence 6/13/01 Place: 1150 Peachtree Street, NW
Department POLICE Division:
Employee involved E. Watson Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained damages when he was wrongfully arrested by Atlanta Police at the above-referenced date and location. However, the claim fails to meet the requirements of notice as the statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice X More than Six Months X Other 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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01
Claims Manager: Concur/date 05/19/2005
Committee Action: Council Action

RCS# 6714  
6/06/05  
2:56 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 3-18 EXCEPT:05-O-0893  
05-R-1006 05-R-1001  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

			06-06-05 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0891	31. 05-R-0963	49. 05-R-0794	80. 05-R-0947
2. 05-O-0890	32. 05-R-0964	50. 05-R-0796	81. 05-R-0948
3. 05-O-0894	33. 05-R-0966	51. 05-R-0797	82. 05-R-0949
4. 05-O-0668	34. 05-R-0967	52. 05-R-0798	83. 05-R-0950
5. 05-O-0667	35. 05-R-0918	53. 05-R-0802	84. 05-R-0951
6. 05-O-0899	36. 05-R-0919	54. 05-R-0803	85. 05-R-0952
7. 05-O-0816	37. 05-R-0920	55. 05-R-0804	86. 05-R-0953
8. 05-O-0817	38. 05-R-0921	56. 05-R-0808	87. 05-R-0958
9. 05-R-0983	39. 05-R-0922	57. 05-R-0809	
10. 05-R-0984	40. 05-R-0923	58. 05-R-0811	
11. 05-R-0985	41. 05-R-0924	59. 05-R-0813	
12. 05-R-0986	42. 05-R-0925	60. 05-R-0815	
13. 05-R-0987	43. 05-R-0926	61. 05-R-0928	
14. 05-R-0959	44. 05-R-0927	62. 05-R-0929	
15. 05-R-0994	45. 05-R-0954	63. 05-R-0930	
16. 05-R-0995	46. 05-R-0955	64. 05-R-0931	
17. 05-R-0996	47. 05-R-0956	65. 05-R-0932	
18. 05-R-0997	48. 05-R-0957	66. 05-R-0933	
19. 05-R-0998		67. 05-R-0934	
20. 05-R-0989		68. 05-R-0935	
21. 05-R-0974		69. 05-R-0936	
22. 05-R-0975		70. 05-R-0937	
23. 05-R-0973		71. 05-R-0938	
24. 05-R-0898		72. 05-R-0939	
25. 05-R-0977		73. 05-R-0940	
26. 05-R-0978		74. 05-R-0941	
27. 05-R-0979		75. 05-R-0942	
28. 05-R-0980		76. 05-R-0943	
29. 05-R-1000		77. 05-R-0944	
30. 05-R-0962		78. 05-R-0945	
		79. 05-R-0946	