

10-R-0065

(Do Not Write Above This Line)

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF PLANE BOLTON v. CITY OF ATLANTA, STATE COURT FULTON COUNTY, CIVIL ACTION FILE NO. 2007EV002680G, IN THE AMOUNT OF \$20,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (General Fund)/ 200101 (NDP Unallocated Citywide Employee Expenses) /5212005 (Property/Liquidation)/1512006 (Human Resources) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

APPROVED BY:

JERRY L. DELGACH
DEPUTY CITY ATTORNEY

COUNCIL

JAN 19 2011

ADOPTED BY

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

Date

1/12/11

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signature]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signature]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signature]

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signature]

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Readings
 - Consent
 - V Vote
 - R/C Vote

CERTIFIED

JAN 19 2011

CERTIFIED

JAN 17 2011

[Signature]
KIMBERLY DUNN
MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]



A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF DIANE BOLTON v. CITY OF ATLANTA, STATE COURT FULTON COUNTY, CIVIL ACTION FILE NO. 2007EV002680G, IN THE AMOUNT OF \$20,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND)/ 200101 (NDP UNALLOCATED CITYWIDE EMPLOYEE EXPENSES) /5212005 (PROPERTY/LIQUIDATION)/1512000 (HUMAN RESOURCES) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Diane Bolton v. City of Atlanta, is a case in which the Plaintiff sued for alleged damages resulting from her slip and fall in the John Birdine Neighborhood Facility in water from a water fountain;

WHEREAS, Plaintiff alleges that she suffered physical damages, and pain and suffering, legal expenses and attorney fees resulting from her fall;

WHEREAS, Plaintiff sought in excess of \$150,000 for her alleged injuries;

WHEREAS, Plaintiff has agreed to accept \$20,000.00, in full settlement of all claims against the City of Atlanta; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

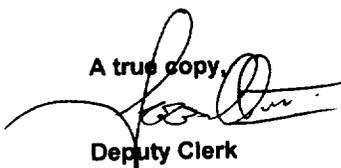
WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$20,000.00 to settle all claims against the City of Atlanta.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of *Diane Bolton v. City of Atlanta* in the amount of Twenty Thousand Dollars (\$20,000.00).

SECTION 2. Said payment is to be charged to and paid from Fund 1001 (General Fund)/ 200101 (NDP Unallocated Citywide Employee Expenses) /5212005 (Property/Liquidation)/1512000 (Human Resources). Payment shall be in the form of a check in the amount of \$20,000.00 payable to Diane Bolton and Ivan Law Firm, P.C. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.

A true copy.


Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JAN 19, 2010
JAN 27, 2010

RCS# 17
1/19/10
1:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

10-R-0145

ADOPT EXCEPT

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

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I