

CLAIM OF: **BRENDA ANN STEWART**
4358 Greenwillow Way
Conley, Georgia 30288

For damages alleged to have been sustained as a result of an automobile accident on October 26, 2009 at S. Central Avenue and Atlanta Avenue.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **BRENDA ANN STEWART** the sum of **\$1,015.24** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of an automobile accident on October 26, 2009 at S. Central Avenue and Atlanta Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account **1001.200101.5212005.1512000**.

JAN 19 2010

CERTIFIED
JAN 19 2010
R. L. DeLoach
MUNICIPAL CLERK

APPROVED: **ROGER BHANDARI**
ACTING CITY ATTORNEY

APPROVED
[Signature]
MAYOR

BY: *[Signature]*
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 1/12/10

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

COUNCIL

ADVIS



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

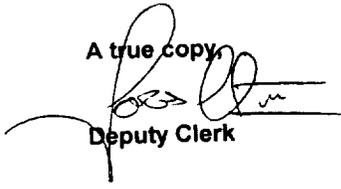
10-R-0073

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **Brenda Ann Stewart** the sum of **\$1,015.24** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of an automobile accident on **October 26, 2009** at **S. Central Avenue and Atlanta Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/5212005/1512000**.

A true copy,



Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JAN 19, 2010
JAN 25, 2010

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0879

Date: December 21, 2009

Claimant /Victim BRENDA ANN STEWART

BY:(Atty)(Ins.Co.)

Address: 4358 Greenwillow Way Conley, Georgia 30288

Subrogation: Claim for Property damage \$ 1,300.35 Bodily Injury \$

Date of Notice: 11/06/09 Method: Written, proper X Improper

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

Date of Occurrence 10/26/09 Place: S. Central Avenue and Atlanta Avenue

Department Public Works Bureau: Office: Fleet Services

Employee involved David Holder Disciplinary Action: Defensive Training Class

NATURE OF CLAIM: The driver of a city vehicle rear-ended the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

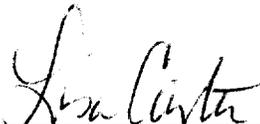
Improper Notice More than Six Months Other Damages reasonable

City not involved Offer rejected Compromise settlement X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

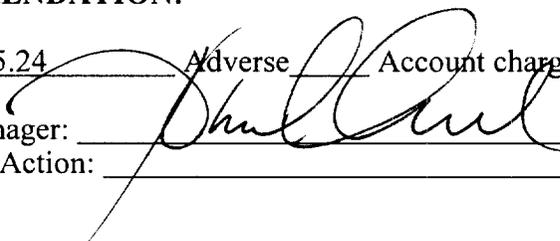
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 1,015.24 Adverse Account charged: General Fund X Water & Sewer Aviation

Claims Manager:  Concur/date 12/24/09

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
35 Trinity Avenue, SW
Atlanta, Georgia 30303

5:14

RE: CLAIM FOR DAMAGES

Today's Date: Nov. 3, 2009

ENTERED - 11-17-09 - SB
09L0879 - L. CARTER

Carter
11/13/09

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

- 1. Date of incident: 10-26-09 2. Time of incident: 1:45 pm 3. Police called: yes
- 4. Location of incident (including street address): St. Central Ave and Atlanta Ave
- 5. Name of your insurance company: State Farm Policy No. 405 4628-F 15-11

6. State what and how incident occurred: Brenda Stewart and Cedric Dozier set at the Red Light waiting for light to change but the next thing we know this Red Truck hit us so hard it scared me so bad, when I came down I call

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

Police: And Mr. Holder Jump out his truck Talking about he dont want to go and take no Test. I dont know what he was Talking about. I did not say anything my leg and Back was hurting.

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.

Your vehicle: Chery 08 BVF5368 Brenda Stewart
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Red Ford 06 DAVID WAYNE HOLDER Public Works
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Cedric Dozier

10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. Claims must be received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Brenda Ann Stewart
Signature of Claimant

Brenda Ann Stewart
(Print Claimant's Name)

4358 Greenwillow way
(Address)

Conley Ga 30288
(City, State and Zip Code)

404-362-0817 - 404-839-2359
(Work Number) (Home Number)

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