

CLAIM OF: ENCOMPASS INSURANCE,
as subrogee Ruby M. Walker
P.O. Box 224049
Dallas, Texas 75222

JAN 19 2010

For damages alleged to have been sustained as a result of an automobile accident on March 24, 2009 at Mableton Parkway and Discovery Parkway.

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 **ENCOMPASS INSURANCE, as subrogee of Ruby M. Walker** the sum of **\$2,467.54** 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 March 24, 2009 at Mableton Parkway and Discovery Parkway as is more particularly set forth in the within claim; said sum taken from and charged to account **1001.200101.5212005.1512000.**

RECEIVED
JAN 19 2010
R. L. Bhandari
MAYOR

APPROVED: ROGER BHANDARI
ACTING CITY ATTORNEY

APPROVED
Roger Bhandari
MAYOR

ADOPTED BY
JAN 19 2010
COUNCIL

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

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 1/12/10

[Signatures]



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

10-R-0090

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 **Encompass Insurance as subrogee of Ruby M. Walker** the sum of **\$2,467.54** 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 **from an automobile accident on March 24, 2009 at Mabelton Parkway and Discovery Parkway** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/521200/1512000**.

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. 09L0767

Date: October 30, 2009

Claimant /Victim RUBY M. WALKER

BY:(Atty)(Ins.Co.) Encompass Insurance

Address: P.O. Box 224049 Dallas, Texas 75222

Subrogation: X Claim for Property damage \$ 2,467.54 Bodily Injury \$ _____

Date of Notice: 09/21/09 Method: Written, proper X Improper _____

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

Date of Occurrence 03/24/09 Place: Mableton Parkway and Discovery Parkway

Department Public Works Bureau: Solid Waster Services Office: _____

Employee involved Barbara A. Andrews Disciplinary Action: Defensive Driving Course

NATURE OF CLAIM: The driver of a city vehicle rear-ended the claimant's vehicle causing damages in the above amount. This accident occurred when the city driver was en route to the Lee Industrial transfer station to empty the load in her vehicle.

INVESTIGATION:

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

Pictures X Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver X Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

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

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

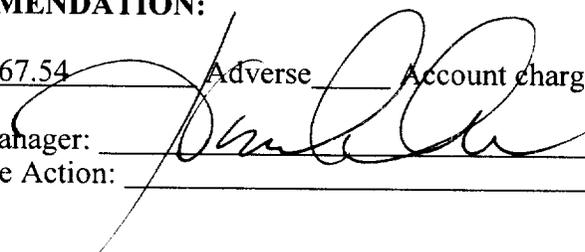
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 2,467.54 Adverse _____ Account charged: General Fund X Water & Sewer _____ Aviation _____

Claims Manager:  Concur/date 11/5/09

Committee Action: _____ Council Action _____



encompassinsurance.com

P.O. Box 908, Monmouth Junction, NJ 08852

RECEIVED
OFFICE OF
MUNICIPAL CLERK
2009 SEP 21 AM 10:34

Mary Felicetti

Subro Service Rep

Telephone

(732) 951-6072

(800) 260-1454 x16072

Facsimile

(972) 510-1957

Internet

mary.felicetti@encompassins.com

September 14, 2009

CITY OF ATLANTA
OFFICE OF MUNICIPLE CLERK
55 TRINITY AVE SW
ATLANTA GA 30303-3520

ENTERED - 10-9-09 - SB
09L0767 - L. CARTER

Carter
10/08/09
[Signature]

Our Claim Number: Z8074884 BK
Your Reference Number: None assigned
Your Insured: CITY OF ATLANTA
Our Insured: Ruby M Walker
Location of Loss: Austell, GA
Date of Loss: 03/24/2009
Insuring Company: Encompass Insurance Company of America

Safety Director

This letter is formal notice of our subrogation rights with regards to the above captioned matter. Our investigation indicates that liability rests with your insured.

We have enclosed all supporting documentation substantiating our subrogation demand in the amount of \$2,467.54 which includes our insured's \$150.00 deductible. Please include our claim number on your check made payable to Encompass Insurance Company of America as subrogee of Ruby M Walker.

As a courtesy, please consider our insured's out of pocket expenses of \$448.12 when resolving this claim.

Payment should be remitted to the following address:

**P.O. Box 224049
Dallas, TX 75222**

If you should have any questions, please contact the undersigned. Thank you for your cooperation

Very truly yours,

Mary Felicetti

Enc: File Documentation

10-R-0090

Any person who knowingly and with intent to defraud any insurance company or other person files a statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime.

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