

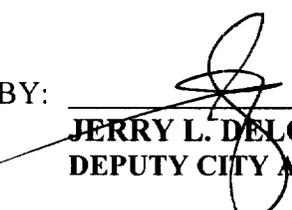
10- R-0111

Entered - 3/5/09 - sb  
CL- 09L0180 - Angelena Kelly

Claim of: Portia Dixon  
Through her attorney Nailah Grant  
2001 Martin Luther King, Jr. Drive, Suite 420  
Atlanta, GA 30310

For damages alleged to have been sustained as a result of a broken banner bracket on January 7, 2009 at North Avenue and West Peachtree Street.

THIS ADVERSED REPORT IS APPROVED

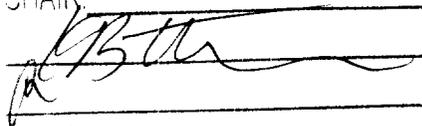
BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

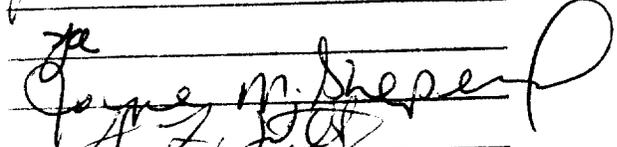
### ADVERSE REPORT

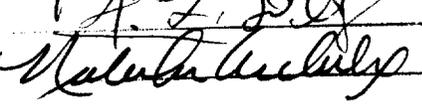
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 1/12/10

CHAIR: \_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

JAN 19 2010

**RECEIVED**  
JAN 19 2010  
Nailah Grant  
ATTORNEY AT LAW  
MUNICIPAL CLERK

JAN 19 2010

APPROVED BY  
MCL

CITY COUNCIL  
ATLANTA, GEORGIA

January 29, 2010

Nailah Grant, Esquire  
2001 Martin Luther King Jr. Drive  
Suite 420  
Atlanta Georgia 30310

**10-R-0111**

**RE: Portia Dixon**

Dear Attorney Grant

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 January 19, 2010. 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. 09L0180

Date: December 16, 2009

Claimant /Victim: Portia Dixon  
BY:(Atty)(Ins. Co.) Nailah Grant  
Address: 2001 Martin Luther King, Jr. Drive, Suite 420, Atlanta, GA 30310  
Subrogation:            Claim for Property damage \$ 12,247.11 Bodily Injury \$             
Date of Notice: 2/23/09 Method: Written, proper X Improper             
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence: 1/7/09 Place: North Avenue near West Peachtree Street  
Department: Public Works Bureau:            Office: Transportation  
Employee involved:            Disciplinary Action:           

NATURE OF CLAIM: The claimant alleges that she was injured when a banner fell onto her at the above location. The investigation determined that the banner that fell onto the claimant is the responsibility of the banner permit holder for this location. The claim has been tendered to the permit holder for handling pursuant to the written agreement. The claimant has been advised of this action.

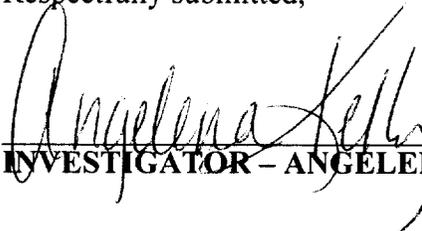
INVESTIGATION:

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

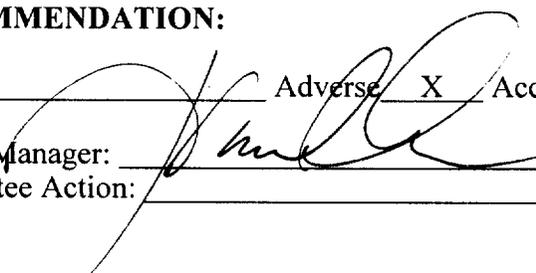
BASIS OF RECOMMENDATION:

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

  
            
INVESTIGATOR - ANGELENA KELLY

RECOMMENDATION:

Pay \$            Adverse X Account charged: General Fund            Water & Sewer            Aviation             
Claims Manager:  Concur/date 12/21/09  
Committee Action:            Council Action



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