

Entered - 12-16-09 sb
CL 09L1012- GWENDOLYN BURNS

10- R -0201

**CLAIM OF: ALFA MUTUAL INSURANCE COMPANY
AS SUBROGEE OF JORGE FERREIRA**
4929 University Drive, NW
Suite B
Huntsville, AL 35816

For property damages alleged to have been sustained when a light fixture fell from its pole onto an automobile on October 1, 2009 at 1300 Inner Loop Road, Hartsfield Jackson Atlanta International Airport.

FEB 01 2010

THIS ADVERSED REPORT IS APPROVED

BY: _____

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE 1/26/10

CHAIR [Signature]

[Signature]

[Signature]

FEB 01 2010

ADVERSE
CITY COMM.



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON
MUNICIPAL CLERK

February 9, 2010

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6030
FAX (404) 658-6273

ALFA Mutual Insurance Company
4929 University Drive, N.W.
Suite B
Huntsville, Al 35816

10-R-0201

RE: Subrogee for Jorge Ferreira

Dear Sir/Madam

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 February 1, 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. 09L1012

Date: December 30, 2009

Claimant /Victim JORGE FERREIRA
BY: (Atty) (Ins. ALFA MUTUAL INSURANCE COMPANY
Address: 4929 University Drive, Northwest, Suite B, Huntsville, Alabama, 35816
Subrogation: X Claim for Property damage \$ 1,645.74 Bodily Injury \$
Date of Notice: 12/15/09 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/1/09 Place: 1300 Inner Loop Road, Hartsfield-Jackson Atlanta International Airport
Department AVIATION Bureau: Office:
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that an airport employee was changing a lens on a light post when he accidentally dropped lens on top of the claimant's parked vehicle. However, the claim has been forwarded to the City's insurance carrier AIG Aviation for resolution.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures X 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 Ministerial X
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. X Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: General Fund Water & Sewer Aviation
Claims Manager: [Signature] Concur/date 01/07/10
Committee Action: Council Action



10- R-0201

4929 UNIVERSITY DRIVE, NORTHWEST, SUITE B
HUNTSVILLE, ALABAMA 35816
256/837-9669
FAX: 256/837-9702

November 16, 2009

ENTERED - 12-16-09 - SB
09L1012 - G. BURNS

Council of the City of Atlanta
Clerk of Council
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

BURNS
12/15/09

Re: Claim Number: G0100000858
Our Insured: Jorge Ferreira
Date of Loss: 10/01/2009
Subrogation Amt.: \$1,645.74

To Whom It May Concern:

We have paid for damages to our insured's vehicle for this incident on the above referenced date. Our insured has assigned to us his or her right to collect for those damages. We have paid \$1,645.74, which includes our insured's \$1,000 deductible. Please send your payment to my office in the envelope provided. I have attached photos, the repair estimate and proof of payment. Should you have any questions, please feel free to call me. I can be reached at 256-837-9669.

Thank you for your cooperation in this matter.

Regards,

Matthew Linville
Claims Adjuster

ML: nlb

Cc: HO File

RCS# 42
2/01/10
2:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

CONSENT I

		02-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0118	36. 10-R-0182	
2. 10-O-0119	37. 10-R-0183	
3. 10-O-0120	38. 10-R-0184	
4. 10-O-0121	39. 10-R-0185	
5. 10-O-0122	40. 10-R-0186	
6. 10-O-0123	41. 10-R-0187	
7. 10-O-0126	42. 10-R-0188	
8. 10-O-0127	43. 10-R-0189	
9. 10-O-0128	44. 10-R-0190	
10. 10-O-0129	45. 10-R-0191	
11. 10-O-0220	46. 10-R-0192	
12. 10-O-0221	47. 10-R-0193	
13. 10-O-0057	48. 10-R-0194	
14. 10-O-0135	49. 10-R-0195	
15. 10-R-0134	50. 10-R-0196	
16. 10-R-0162	51. 10-R-0197	
17. 10-R-0227	52. 10-R-0198	
19. 10-R-0164	53. 10-R-0199	
20. 10-R-0165	54. 10-R-0200	
21. 10-R-0166	55. 10-R-0201	
22. 10-R-0169	56. 10-R-0202	
23. 10-R-0170	57. 10-R-0203	
24. 10-R-0171	58. 10-R-0204	
25. 10-R-0222	59. 10-R-0205	
26. 10-R-0228		
27. 10-R-0173		
28. 10-R-0174		
29. 10-R-0175		
30. 10-R-0176		
31. 10-R-0177		
32. 10-R-0178		
33. 10-R-0179		
34. 10-R-0180		
35. 10-R-0181		