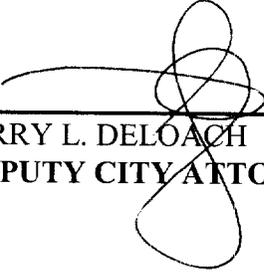


CLAIM OF: APRIL MITCHELL, JARIUS MACK,
DEXTER TAYLOR, JR., DEXTER
TAYLOR, SR. AND COURTNEY MARTIN
THROUGH THEIR ATTORNEY,
COURTNEY MARTIN, ESQ.
WILLIS AND ASSOCIATES LAW
GROUP, LLC
1720 Peachtree Street, NW
Suite 1036
Atlanta, Georgia 30309

For damages alleged to have been sustained from a residential fire on May 9, 2009 at 526 Dollar Mill Road.

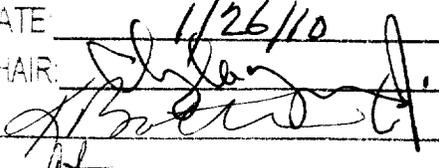
THIS ADVERSED REPORT IS APPROVED

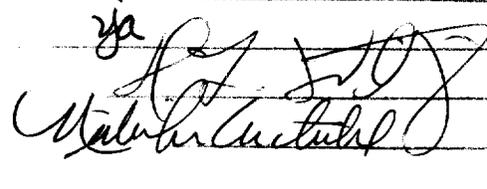
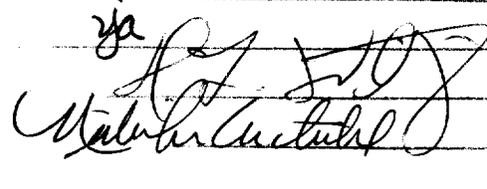
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE 1/26/10

CHAIR: 

FEB 01 2010

ADVERSED BY
CITY ATTORNEY

FEB 01 2010



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

Ms. Courtney Martin, Esquire
Willis And Associates Law Group, LLC
1720 Peachtree Street, N.W.
Suite 1036
Atlanta Georgia 30309

10-R-0204

RE: April Mitchell, Jarius Mack, Dexter
Taylor Jr, Dexter Taylor Sr, Courtney

Dear Ms. Martin

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

SDEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0706

Date: November 23, 2009

Claimant /Victim APRIL MITCHELL, JARIUS MACK, JARQUIZ MACK, DEXTER TAYLOR, JR., DEXTER TAYLOR, SR. AND COURTNEY MARTIN

BY: (Atty) (Ins. Co Courtney Martin, Esq., Willis and Associates Law Group, LLC

Address: 1720 Peachtree Street, NW, Suite 1036, Atlanta, Georgia 30309

Subrogation: Claim for Property damage \$ unspecified Bodily Injury \$

Date of Notice: 9/15/09 Method: Written, Proper Improper

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

Date of Occurrence 5/9/09 Place: 526 Dollar Mill Road

Department POLICE AND FIRE Bureau: Office:

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimants allege that they lost their home to a fire due to the City's 911 Emergency Operation's miscommunication and failure to dispatch a fire crew to the above address within a reasonable time. However, the City has governmental immunity for Police and Fire operations pursuant to O.C.G.A. §36-33-1.

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report X Other X

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 X Damages reasonable

City not involved Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

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

Claims Manager: Concur/date 11/2/09

Committee Action: Council Action

WILLIS AND ASSOCIATES
LAW GROUP, LLC
1720 Peachtree Street, N.W., Suite 1036
Atlanta, Georgia 30309
Telephone (404) 260-4211
Facsimile (404) 260-4210

RECEIVED
OFFICE OF
MUNICIPAL CLERK
2009 SEP 15 AM 9:02

September 11, 2009

VIA CERTIFIED MAIL

City of Atlanta, Mayor
Attn: Shirley Franklin
55 Trinity Ave
Atlanta, GA 30303

ENTERED - 9-24-09 - SB
09L0706 - G. BURNS

BURNS
09/24/09
A

City of Atlanta, City Council
55 Trinity Ave
Atlanta, GA 30303

City of Atlanta Fire Department
Attn: Chief of Fire Department
675 Ponce De Leon Avenue
Atlanta, Georgia 30308

Office of Communication
226 Peachtree St
Atlanta, Georgia 30303

RE: Our Clients: April Mitchell, Jarius Mack, Jarquiz Mack, Dexter Taylor, Jr.,
Dexter Taylor, Sr. and Courtney Martin
Date of Loss: May 9, 2009

To Whom It May Concern:

This law firm has been retained by April Mitchell, Jarius Mack, Jarquiz Mack, Dexter Taylor, Jr., Dexter Taylor, Sr. and Courtney Martin regarding legal claims against the City of Atlanta Mayor's Office, Fire Department and the 911 Response/Office of Communications arising out of an incident that occurred on May 9, 2009.

The incident referenced above occurred when a minor fire developed in the basement of a residence located at 526 Dollar Mill Road. Due to the actions and failure to act by the 911 operators and the fire department, as well as negligent administration by the Mayor's Office and City Council, our clients suffered injuries and damages that include, but are not limited to, property loss, emotional distress and wage loss.

According to our clients and witnesses to this incident, on May 9, 2009, several attempts were made to contact the fire department about a fire in the residence. More than thirty (30) minutes

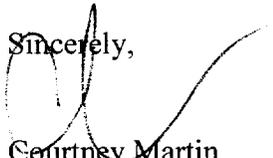
passed before the fire department finally arrived. However, by then, the residence had completely burned destroying all of the home's contents.

As counsel, we are presenting claims for general and special damages, both past and future, within the time period required by statute. The claims are based upon the reckless and wanton behavior of the City of Atlanta's Mayor's Office, Office of Communications and Fire Department.

Upon receipt of this correspondence, please forward to my attention a complete copy of any and all insurance policies that may be applicable to this action.

Thank you for your cooperation in this matter.

Sincerely,


Courtney Martin
Attorney at Law

10- R -0204

Enclosure

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

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