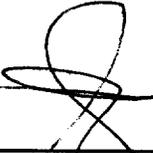


CLAIM OF: **TALAHA GAINES**
2044 Campbellton Road, Suite W
Atlanta, Georgia 30311

For damages alleged to have been sustained from a wrongful search and seizure incident on April 14, 2009 at 2044 Campbellton Road, SW.

FEB 15 2010

THIS ADVERSED REPORT IS APPROVED

BY: 

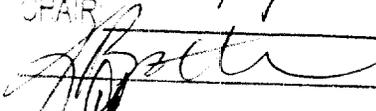
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

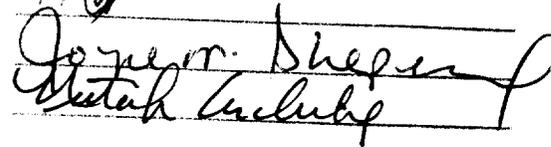
ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/9/10

CHAIR: _____




J. M. Sheperd
District Attorney

FEB 15 2010

ADVERSED
INCIDENT

FEB 15 2010

ADVERSED
INCIDENT



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

February 25, 2010

55 TRINITY AVENUE, S.W.
SUITE 2700
ATLANTA, GEORGIA 30303
Main (404) 330-6033
Fax (404) 658-8103
Email municipalclerk@atlantaga.gov

Ms. Talaha Gaines
2044 Campbellton Road, Suite W
Atlanta Georgia 30311

10-R-0274

Dear **Ms. Gaines**

I sincerely regret that you have been adversely affected by the circumstances raised in your 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 claim at its regular meeting on February 15, 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.**

Sincerely,

A handwritten signature in cursive script that reads "Rhonda Dauphin Johnson".

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 08L0677

Date: January 25, 2010

Claimant /Victim TALAHA GAINES
BY: (Atty) (Ins. Co.)
Address: 2044 Campbellton Road, Ste W, Atlanta, Georgia 30311
Subrogation: Claim for Property damage \$ 200,000.00 Bodily Injury \$
Date of Notice: 9/10/09 : Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/14/09 Place: 2044 Campbellton Road, Ste
Department POLICE Bureau: Office
Employee involved Gary Harper and Marc L. House Disciplinary Action:

NATURE OF CLAIM: Claimant alleges she sustained damages when Police wrongfully searched her business and seized clothing and other property from the location. The claimant further contends that Police failed to return her merchandise to her once the investigation was completed. However, an investigation has determined that the Special Enforcement Section supervised the execution of a search warrant on the claimant's business for the sale of counterfeit merchandise. According to Police records, all merchandise that was not deemed to be counterfeit was returned back to the claimant.

INVESTIGATION:

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

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Diverse X Account charged: General Fund Water & Sewer Aviation
Claims Manager: Concur/date 8/12/10
Committee Action: Council Action

Fax # (404) 494-1693
(OR)
(404) 658-7082

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

RE: CLAIM FOR DAMAGES

Today's Date: 9-2-09

ENTERED - 9-10-09 - SB
09L0677 - G. BURNS

BURNS
09/10/09
[Signature]

Dear Municipal Clerk:

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

- Date of incident: 4-14-09 2. Time of incident: 12:30 3. Police called: APD
- Location of incident (including street address): 2044 Campbell tow Rd Ste. W
Atlanta, GA 30311
- Name of your insurance company: n/a Policy No. n/a
- State what and how incident occurred: (this is not an ^{car} accident)

Details to Complaint Attached

* 40 pages attached *

- 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!
- 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: n/a
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: n/a
(Make) (City Driver's Name) (Department/Bureau)
- Witness: n/a
- 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).
- 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.

Talaha Gaines
Signature of Claimant

Talaha Gaines
(Print Claimant's Name)

2044 Campbell tow Rd. Ste. W
(Address)

Atlanta, Georgia 30311
(City, State and Zip Code)

(404) 914-1700
(Work Number) (OR) (Home Number)

(404) 914-1168

7-29-09

Dear Mayor Shirley Franklin

I, Talaha Gaines, Request an appointment to speak with you in reference to the Atlanta Police Department violating Rules, stealing property, and refusal to co-operate with written and verbal requests. I'm a business owner of Atlanta and I've tried every way to settle the complaint in a professional manner so I can continue my business as usual. I do have proof to all that I proclaim and have been trying to keep this from getting to the media but if I don't have a choice, then that will be my next attempt. Can you please contact me and set up an appointment so we can close this issue.

Thank You,
Talaha Gaines
Talaha Gaines

2044 Campbellton Rd. Ste. W
Atlanta, GA 30310
404-914-1168 (cell) 1700
404-388-7928

RCS# 70
2/15/10
2:39 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT I

		02-15-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0163	36. 10-R-0160	53. 10-R-0260
2. 10-O-0167	37. 10-R-0244	54. 10-R-0261
3. 10-O-0229	38. 10-R-0245	55. 10-R-0262
4. 10-O-0317	39. 10-R-0246	56. 10-R-0263
5. 10-O-0153	40. 10-R-0247	57. 10-R-0264
6. 10-O-0154	41. 10-R-0248	58. 10-R-0265
7. 10-O-0155	42. 10-R-0249	59. 10-R-0266
8. 10-O-0156	43. 10-R-0250	60. 10-R-0267
9. 10-O-0158	44. 10-R-0251	61. 10-R-0268
10. 10-O-0159	45. 10-R-0252	62. 10-R-0269
11. 10-O-0157	46. 10-R-0253	63. 10-R-0270
12. 10-R-0242	47. 10-R-0254	64. 10-R-0271
13. 10-R-0243	48. 10-R-0255	65. 10-R-0272
14. 10-R-0124	49. 10-R-0256	66. 10-R-0273
15. 10-R-0282	50. 10-R-0257	67. 10-R-0274
16. 10-R-0283	51. 10-R-0258	
17. 10-R-0284	52. 10-R-0259	
19. 10-R-0285		
20. 10-R-0286		
21. 10-R-0287		
22. 10-R-0295		
23. 10-R-0299		
24. 10-R-0300		
25. 10-R-0301		
26. 10-R-0302		
27. 10-R-0233		
28. 10-R-0234		
29. 10-R-0235		
30. 10-R-0236		
31. 10-R-0237		
32. 10-R-0238		
33. 10-R-0239		
34. 10-R-0240		
35. 10-R-0316		