

Entered - 10/15/09 - sb  
CL- 09L0796- Angelena Kelly

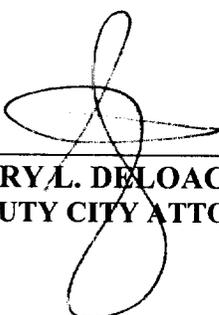
10- R -0373

Claim of: Centraarchy  
236 Albermarle Road  
Charleston, SC 29407

For damages alleged to have been sustained as a result of a power outage on August 24, 2009 at 1015 Crown Pointe Parkway.

THIS ADVERSED REPORT IS APPROVED

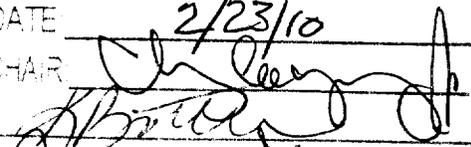
BY: \_\_\_\_\_

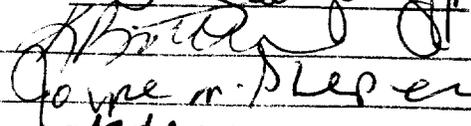
  
**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**

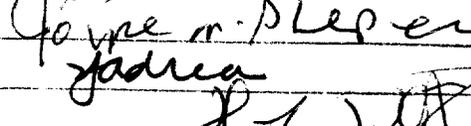
### ADVERSE REPORT

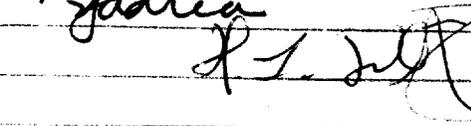
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE 2/23/10

CHAIR 







\_\_\_\_\_

\_\_\_\_\_

MAR 01 2010



*Handwritten signature*

MAR 01 2010

ADVERSED BY  
CITY ATTORNEY



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON  
MUNICIPAL CLERK

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

March 10, 2010

Centraarchy  
236 Albermarle  
Charleston SC 29407

10-R-0373

Dear Sir/Madam

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 March 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.**

Sincerely,

  
Rhonda Dauphin Johnson, *CMC*  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0796

Date: January 29, 2010

Claimant /Victim Centraarchy

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 236 Albermarle Road, Charleston, SC 29407

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,022.57 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 9/29/09 Method: Written, proper  Improper \_\_\_\_\_

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

Date of Occurrence: 8/24/09 Place: 1015 Crown Pointe Parkway

Department: \_\_\_\_\_ Bureau: \_\_\_\_\_ Office: \_\_\_\_\_

Employee involved: \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that their restaurant sustained loss of revenue due to a power outage caused by a severed power line. The investigation determined this area is outside the Atlanta City limits.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

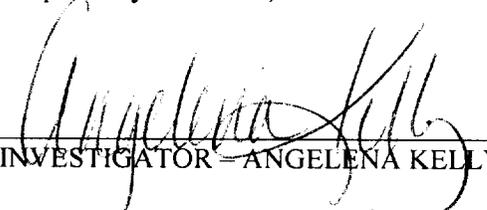
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved  Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

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

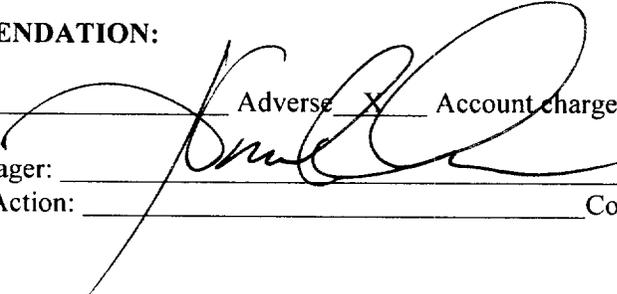
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ANGELENA KELLY

RECOMMENDATION:

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

Claims Manager:  Concur/date 02/10/10

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RECEIVED  
OFFICE  
MUNICIPAL

Kelly  
10/13/09

COUNCIL OF THE CITY OF ATLANTA SEP 20  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, SW  
Atlanta, Georgia 30303

RE: CLAIM FOR DAMAGES  
Today's Date: Sept 21, 2009

ENTERED - 10-15-09 - SB  
09L0796 - A. KELLY

CC: 09L0525  
AK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 1,022.57 property and/or \$ NIA bodily injury for which I contend the City is liable.

*New date* →

- 1. Date of incident: Aug 24, 2009 2. Time of incident: 6:30 3. Police called: NIA
- 4. Location of incident (including street address): Joey D's Oakroom - 1015 Crown Pointe Pkwy + Abernathy Rd
- 5. Name of your insurance company: Yates Policy No. 2071010872
- 6. State what and how incident occurred: A gas line outside of the location was severed at 6:30 pm on 8/24/09. City Emergency Personnel and Fire Dept. workers blocked all roads leading to Joey D's Oakroom.

The restaurant was forced to close to new customers because no one could enter the parking lot. The restaurant was closed for the remainder of the night.

7. 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!

*NIA* 8. 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: \_\_\_\_\_  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_

10. 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).

11. 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.

Laurie Nigel  
Signature of Claimant

Laurie Nigels, Centra Archy Restaurant Mgmt Co.  
(Print Claimant's Name)

236 Abernathy Rd  
(Address)

Charleston, SC 29407  
(City, State and Zip Code)

843-571-0096 x253  
(Work Number) (Home Number)

		03-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0275	36. 10-R-0350	42. 10-R-0356
2. 10-O-0276	37. 10-R-0351	43. 10-R-0357
3. 10-O-0277	38. 10-R-0352	44. 10-R-0358
4. 10-O-0278	39. 10-R-0353	45. 10-R-0359
5. 10-O-0279	40. 10-R-0354	46. 10-R-0360
6. 10-O-0289	41. 10-R-0355	47. 10-R-0361
7. 10-O-0290		48. 10-R-0362
8. 10-O-0291		49. 10-R-0363
9. 10-O-0292		50. 10-R-0364
10. 10-O-0293		51. 10-R-0365
11. 10-O-0294		52. 10-R-0366
12. 10-O-0296		53. 10-R-0367
13. 10-O-0241		54. 10-R-0368
14. 10-O-0307		55. 10-R-0369
15. 10-R-0334		56. 10-R-0370
16. 10-R-0335		57. 10-R-0371
17. 10-R-0390		58. 10-R-0372
19. 10-R-0395		59. 10-R-0373
20. 10-R-0407		60. 10-R-0374
21. 10-R-0411		61. 10-R-0375
22. 10-R-0394		62. 10-R-0376
23. 10-R-0396		63. 10-R-0377
24. 10-R-0338		64. 10-R-0378
25. 10-R-0339		65. 10-R-0379
26. 10-R-0340		66. 10-R-0380
27. 10-R-0341		67. 10-R-0381
28. 10-R-0342		68. 10-R-0382
29. 10-R-0343		69. 10-R-0383
30. 10-R-0344		70. 10-R-0384
31. 10-R-0345		71. 10-R-0385
32. 10-R-0346		
33. 10-R-0347		
34. 10-R-0348		
35. 10-R-0349		