

Entered 12/09/09 sb  
CL 09L0982 - LISA CARTER

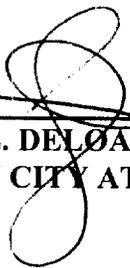
10- R -0382

**CLAIM OF: GLENN MURER**  
**201 Armour Drive**  
**Atlanta, Georgia 30324**

For damages alleged to have been sustained as a result of a water meter leak on November 24, 2008 at 2095, 2097, and 2099 Liddell Drive.

MAR 01 2010

THIS ADVERSED REPORT IS APPROVED

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

*Handwritten signature*  
MAR 01 2010

**ADVERSE REPORT**

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/23/10

CHAIR: *J. DeLoach*

*Glenn Murer*

*Gene M. Shepherd*

*Yadun*

*4.5.10*

MAR 01 2010

ADVERSED BY  
CITY OF ATLANTA



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

Mr. Glenn Murer  
201 Armour Drive  
Atlanta, Georgia 30324

**10-R-0382**

Dear Mr. Murer

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*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0982

Date: January 27, 2010

Claimant /Victim GLENN MURER

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

Address: 201 Armour Drive Atlanta, Georgia 30324

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 431.17 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 11/30/09 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 11/24/08 Place: 2095, 2097, and 2099 Liddell Drive

Department Watershed Management Bureau: Drinking Water Office: \_\_\_\_\_

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

NATURE OF CLAIM: The claimant alleges that he sustained damages as a result of a water meter leak at 2095, 2097, and 2099 Liddell Drive. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. § 36-33-5, in that the six month statute of limitations expired prior to receipt of the claim.

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 X Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

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

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

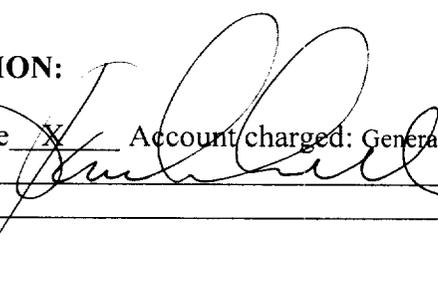
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
\_\_\_\_\_  
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

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

Claims Manager:  Concur/date 02/10/10

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

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

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK  
2009 NOV 30 AM 9:32

CLAIM FOR DAMAGES

Carter  
12/02/09  
J

Today's Date: NOV. 24, 2009  
ENTERED - 12-9-09 - SB  
09L0982 - L. CARTER

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 4431.<sup>17</sup> property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: NOV. 24, 2009 2. Time of incident: \_\_\_\_\_ 3. Police called: NO
4. Location of incident (including street address): 2015, 2097, 2099 LIDDELL DR, ATLANTA GA
5. Name of your insurance company: N/A Policy No. N/A
6. State what and how incident occurred: SEE ATTACHED.

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!

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.

Deanna Wilkins  
Signature of Claimant FOR  
GLENN MURER

GLENN MURER  
(Print Claimant's Name)

201 ARMOUR DR  
(Address)

ATLANTA, GA 30324  
(City, State and Zip Code)

404-892-5000  
(Work Number) (Home Number)

10- R -0382

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