

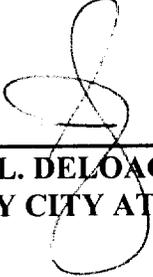
Entered 06/24/08 sb
CL 08L0582 - LISA CARTER

CLAIM OF: DANAH RICHARDSON
through her attorney,
Sho Watson
505 Pryor Street, SW
Atlanta, Georgia 30312

For damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on March 30, 2008 at 674 Boulevard Avenue.

MAR 15 2010

THIS ADVERSED REPORT IS APPROVED

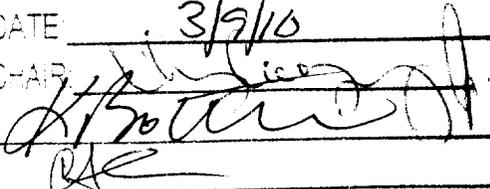
BY: 

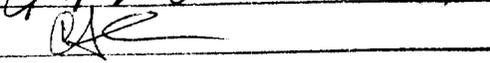
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

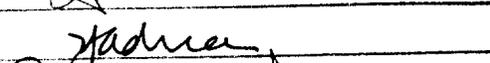
ADVERSE REPORT

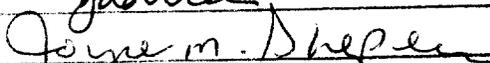
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

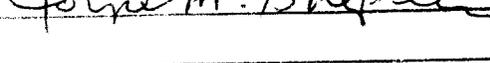
DATE: 3/9/10

CHAIR: 





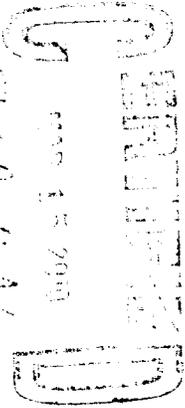












MAR 15 2010

ADVERSED BY
CITY COUNCIL



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON
MUNICIPAL CLERK

March 19, 2010

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

Sho Watson Esq.
505 Pryor Street, SW
Atlanta, Georgia 30312

10-R-0446

RE: Danah Richardson

Dear Mr. Watson

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 March 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.**

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 08L0582

Date: February 8, 2010

Claimant /Victim DANAH RICHARDSON
BY:(Atty)(Ins.Co.) Sho Watson
Address: 505 Pryor Street, SW Atlanta, Georgia 30312
Subrogation: Claim for Property damage \$ 673.82 Bodily Injury \$ 5,040.00
Date of Notice: 06/04/08 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/30/08 Place: 674 Boulevard Avenue
Department Watershed Management Bureau: Drinking Water Office:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained injuries as a result of a trip and fall in an uncovered water meter at 674 Boulevard Avenue. However, the claimant failed to provide evidence to substantiate the allegations made in the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other
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. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Lisa Carter

INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ Adverse X Account charged: General Fund Water & Sewer Aviation
Claims Manager: [Signature] Concur/date 02/17/10
Committee Action: Council Action

ER

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

OFFICE OF
MUNICIPAL CLERK
RE: CLAIM FOR DAMAGES

Today's Date: 2008 JUN 28 / 08 10:54

ENTERED - 6-24-08 - SB
08L0582 - L. CARTER

Carter
06/23/08

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 5,040.00 property and/or \$ 693.82 bodily injury for which I contend the City is liable.

- 1. Date of incident: 3/30/08 2. Time of incident: 11:00 pm 3. Police called: NO
- 4. Location of incident (including street address): 674 Boulevard Ave
- 5. Name of your insurance company: N/A Policy No. N/A

6. State what and how incident occurred: While walking from a home to the passenger side of a vehicle, I stepped into an open water meter and fell the entire depth of the hole

With one leg ~~was~~ sustaining injuries to my right knee. All treatments have not been completed. I will amend my claim in the future.

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: N/A
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: N/A
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Alvin Munson

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 employees(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.

D. Richardson
Signature of Claimant

Danah Richardson
(Print Claimant's Name)

1043 Saint Charles Av NE #16
(Address)

Atlanta, Ga 30306
(City, State and Zip Code)

N/A 678.913-3277
(Work Number) (Home Number)

10- R-0446

RCS# 124
3/15/10
2:18 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

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

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

CONSENT I