

Entered - 5-22-08 sb  
CL 08L0495- GWENDOLYN BURNS

10- R -0452

CLAIM OF: NICOLE JOHNSON  
ON BEHALF OF HER MINOR CHILD  
BREANNA JOHNSON  
4018 Runnymead Lane  
East Point, Georgia 30344

For bodily injuries alleged to have been sustained from an automobile accident on March 31, 2008 at 1622 Joseph E. Boone, NW & West Lake Avenue.

THIS ADVERSED REPORT IS APPROVED

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

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

### ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE 3/9/10

CHAR [Signature]

[Signature]

yaduan  
Jane on the left

MAR 15 2010

MAR 15 2010  
CLERK OF SUPERIOR COURT  
CITY OF ATLANTA

MAR 15 2010  
ADVERSED BY  
CIVIL



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 19, 2010

Ms. Nicole Johnson  
4018 Runnymede Lane  
East Point, Georgia 30344

**10-R-0452**

Dear Ms. Johnson

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 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,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 08L0495

Date: February 2, 2010

Claimant /Victim NICOLE D. JOHNSON ON BEHALF OF HER MINOR CHILD BREANNA JOHNSON

BY: (Atty) (Ins. Co.)

Address: 4018 Runnymede Lane, East Point, Georgia 30344

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

Date of Notice: 4/31/08 Method: Written, Proper X Improper

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

Date of Occurrence 3/31/08 Place: 1622 Joseph E. Boone & West Lake Road

Department POLICE Bureau: Office:

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained bodily injuries from an automobile accident at the above-location. However, the claimant has failed to provide sufficient information to support her claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report 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 X

Respectfully submitted,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

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

Claims Manager: Concur/date 02/22/10

Committee Action: Council Action

10- R -0452

**WEISS & ASSOCIATES, LLC**

200 Galleria Parkway, Ste. 900

Atlanta, Ga. 30339

(404) 525-3900

(404) 522-4932 (facsimile)

e-mail firm@smolarpc.com

April 24, 2008

City of Atlanta  
Municipal Clerk  
55 Trinity Avenue SW  
Atlanta, GA 30303-3520

ENTERED - 5-22-08 - SB  
08L0495 - GWEN BURNS

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK  
2008 APR 31 AM 10:11

BURNS

05/20/08  
A

RE: Nicole Johnson and Breanna Johnson  
DOI: March 31, 2008  
Accident Report #: 080911508-00

Dear Sir or Madam:

This is to advise you that I have been retained to represent the above-named client.

On March 31, 2008, my client was driving northbound on Westlake. At the intersection of Westlake and Simpson Road, her vehicle was struck by a City of Atlanta Police vehicle, driven by Robert Firkin. A copy of the Motor Vehicle Accident Report is enclosed for your convenience.

Ms. Nicole Johnson and Ms. Breanna Johnson are currently under a doctor's care for treatment of injuries sustained in this accident. A copy of the medical records will be sent to you when we receive them.

Our client wishes to file a claim against the City of Atlanta, and I am requesting a claim number be assigned to this incident.

Yours very truly,

  
WILLIAM CROMWELL

/db  
Enc.

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