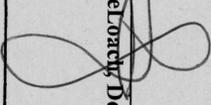


10-R-0859  
(Do Not Write Above This Line)

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF THOMAS MORGAN V CITY OF ATLANTA GEORGIA, CIVIL ACTION FILE NO. 2007-EV-003796, FULTON STATE COURT, IN THE TOTAL AMOUNT OF \$175,000.00; AUTHORIZING SAID PAYMENT TO BE PAID FROM FUND 5051 (WATER & SEWER) CENTER NUMBER 170201 (DEPARTMENTAL) 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

Approved By:   
Jerry L. DeLoach, Deputy City Attorney

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred  
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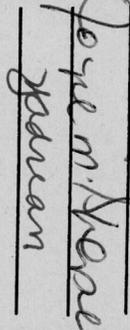
First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

PSLA Committee

Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

Members \_\_\_\_\_



Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

Members \_\_\_\_\_

ADOPTED BY

MAY 17 2010

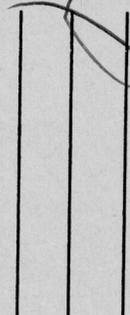
COUNCIL

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

Members \_\_\_\_\_



Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

Members \_\_\_\_\_

REFERRED TO

REFERRED TO

REFERRED TO

Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2nd  1st & 2nd  3rd  
Readings  
 Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
MAY 17 2010

ATLANTA CITY COUNCIL PRESIDENT



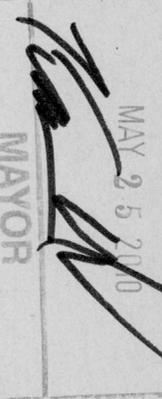
CERTIFIED  
MAY 17 2010

Jeremy M. Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 25 2010

  
MAYOR



**A RESOLUTION**

10-R-\_\_\_\_\_

**BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE**

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF THOMAS MORGAN V. CITY OF ATLANTA, GEORGIA, CIVIL ACTION FILE NO. 2007-EV-003796, FULTON STATE COURT, IN THE TOTAL AMOUNT OF \$175,000.00; AUTHORIZING SAID PAYMENT TO BE PAID FROM FUND 5051 (WATER & SEWER) CENTER NUMBER 170201 (DEPARTMENTAL) 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

**WHEREAS**, Plaintiff Thomas Morgan filed a lawsuit, *Thomas Morgan vs. City of Atlanta*, alleging that the City of Atlanta created a nuisance by failing to maintain adequate water systems; and

**WHEREAS**, Plaintiff alleges that due to failure and inadequacies of the City of Atlanta's water systems, his property sustained damage resulting from a water main leak; and

**WHEREAS**, the City Attorney has done extensive review of the facts and the law and has determined that the City of Atlanta's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount;

**WHEREAS**, Plaintiff has agreed to accept \$175,000.00 in full settlement of his claims against the City of Atlanta including interest and attorney's fees; and

**WHEREAS**, the City Attorney considers it to be in the best interest of the City to pay the Plaintiff the amount of \$175,000.00 to settle all claims against the City of Atlanta.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** hereby resolves as follows:

**SECTION 1** The City Attorney is hereby authorized to settle and execute all documents in the case of *Thomas Morgan vs. City of Atlanta*, Fulton State Court, Civil



Action File No. 2007-EV-003796, in the amount of One Hundred Seventy-Five Thousand Dollars (\$175,000.00).

**SECTION 2** The Chief Financial Officer is authorized to pay the amount of One Hundred Seventy-Five Thousand Dollars (\$175,000.00) to Thomas Morgan. Said payment is to be charged, paid and issued from Fund 5051 (Water & Sewer Fund) Center Number 170201 (Departmental) 5750002 (Account) and 4310000 (Functional Activity) and made payable to *Martin & Jones, as attorneys for Thomas Morgan*, 3353 Peachtree Road, Suite 510, Atlanta, Georgia 30326. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta, and its current and former officers and employees.

A true copy,

  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed

MAY 17, 2010  
MAY 25, 2010



		<b>05-17-10</b>
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 10-O-0741	35.10-R-0903	57. 10-R-0828
2. 10-O-0742	36. 10-R-0868	58. 10-R-0829
3. 10-O-0744	37. 10-R-0869	59. 10-R-0830
4. 10-O-0745	38. 10-R-0871	60. 10-R-0831
5. 10-O-0746	39. 10-R-0872	61. 10-R-0832
6. 10-O-0747	40. 10-R-0873	62. 10-R-0833
7. 10-O-0748	41. 10-R-0809	63. 10-R-0834
8. 10-O-0796	42. 10-R-0810	64. 10-R-0835
9. 10-O-0798	43. 10-R-0811	65. 10-R-0836
10. 10-O-0889	44. 10-R-0812	66. 10-R-0837
11. 10-O-0893	45. 10-R-0814	67. 10-R-0838
12. 10-O-0627	46. 10-R-0815	68. 10-R-0840
13. 10-O-0330	47. 10-R-0816	69. 10-R-0841
14. 10-O-0331	48. 10-R-0819	70. 10-R-0842
15. 10-O-0632	49. 10-R-0820	71. 10-R-0843
16. 10-O-0633	50. 10-R-0821	72. 10-R-0844
17. 10-O-0730	51. 10-R-0822	73. 10-R-0845
18. 10-O-0731	52. 10-R-0823	74. 10-R-0846
19. 10-O-0732	53. 10-R-0824	75. 10-R-0847
20. 10-O-0733	54. 10-R-0825	76. 10-R-0848
21. 10-O-0735	55. 10-R-0826	77. 10-R-0849
22. 10-O-0779	56. 10-R-0827	78. 10-R-0850
23. 10-R-0882		79. 10-R-0851
24. 10-R-0883		80. 10-R-0852
25. 10-R-0884		81. 10-R-0853
26. 10-R-0885		82. 10-R-0854
27. 10-R-0887		83. 10-R-0856
28. 10-R-0638		84. 10-R-0857
29. 10-R-0639		85. 10-R-0858
30. 10-R-0818		
31. 10-R-0859		
32. 10-R-0860		
33. 10-R-0861		
34. 10-R-0862		