

**11-1643**  
 (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 NICOLE JOHNSON *v.* CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010CV183524, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$2,125.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 200101 (LITIGATION EXPENSES) and CENTER NUMBER 5212005 (NON-DEPARTMENTAL) and 1512000 (FUNCTIONAL ACTIVITY NUMBER); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT, AND FOR OTHER PURPOSES.

ADOPTED BY

NOV 21 2011

APPROVED BY:  
 ERIC RICHARDSON  
 DEPUTY CITY ATTORNEY

*As Amended*  
**COUNCIL**

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

Date Referred  
 Referred To:  
 Date Referred  
 Referred To:  
 Date Referred  
 Referred To:  
 Referred To:

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

First Reading

Public Committee  
 11/15/11  
 Chair: *[Signature]*  
 Action: *[Signature]*  
 Fav, Adv, Hold (see rev. side)  
 Other: *As Amended*

Members: *[Signature]*  
 Refer To: *Yaduan*

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

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

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

CERTIFIED

**CERTIFIED**  
 NOV 21 2011  
 ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
 NOV 21 2011  
*Randa D. ...*  
 MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

NOV 30 2011

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



**AN AMENDED 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 NICOLE JOHNSON v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010CV183524, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$2,125.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 CENTER NUMBER 200101 (NON-DEPARTMENTAL) ACCOUNT 5212005 (LITIGATION EXPENSES) FUNCTIONAL ACTIVITY NUMBER 1512000 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

WHEREAS, NICOLE JOHNSON v. CITY OF ATLANTA, is a case involving alleged injuries resulting from a vehicle accident that occurred on or about March 31, 2010, when a City of Atlanta Police vehicle driven by Officer Robert Firkin, collided with Nicole Johnson's vehicle;

WHEREAS, Plaintiff alleges that she suffered serious injuries as a result of the auto accident with City of Atlanta Police Officer, who allegedly was operating a motor vehicle in a negligent manner, as the proximate cause of Plaintiff's bodily injuries;

WHEREAS, Plaintiff sought monetary damages for the repairs he incurred as well as attorney's fees and costs of litigation;

WHEREAS, Plaintiff has agreed to accept \$2,125.00, in full settlement of all claims against the City of Atlanta, which includes attorney's fees and costs of litigation;

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

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$2,125.00 to settle all claims against the City of Atlanta; and

**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 NICOLE JOHNSON v. CITY OF ATLANTA in the amount of Two Thousand One Hundred Twenty-Five Dollars and no Cents (\$2,125.00).



SECTION 2. The Chief Financial Officer is authorized to make payment from Fund 1001 (General Fund), Center Number 200101 (Non-Departmental) Account 5212005 (Litigation Expense) Functional Activity Number 1512000 (Accounting). Payment shall be in the form of a check in the amount of \$2,125.00 payable to Nicole Johnson and The Ekwegbalu Law Firm, PC., 235 Peachtree Street, Suite 400, Atlanta, GA 30303. 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,

A handwritten signature in black ink, appearing to read "S. L. ...", written over a horizontal line.

Deputy Municipal Clerk

ADOPTED as amended by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

Nov. 21, 2011  
Nov. 30, 2011

RCS# 1554  
11/21/11  
2:02 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ALL ITEMS EXCEPT 11-O-1553

ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

RCS# 1553  
11/21/11  
2:00 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

RECONSIDER

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

RCS# 1552  
11/21/11  
1:59 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

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

CONSENT I