

Entered - 12-18-12 sb
CL 12L0900 - DOA/NA - GWENDOLYN BURNS

13- R -0372

**CLAIM OF: RHONDA LEVITT
THROUGH HER ATTORNEY
JAMES L. CANNELLA, JR.
MORGAN & MORGAN
191 Peachtree Street, NE
Suite 4200
Atlanta, GA 30303**

For bodily injuries alleged to have been sustained from a slip and fall incident on November 20, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

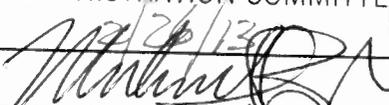
THIS ADVERSED REPORT IS APPROVED

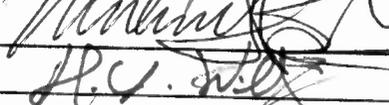
BY: 
ERIC RICHARDSON
DEPUTY CITY ATTORNEY

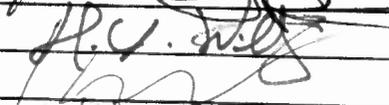
ADVERSE REPORT

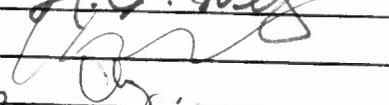
PUBLIC SAFETY &

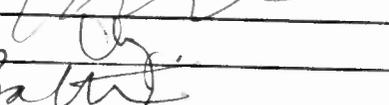
LEGAL ADMINISTRATION COMMITTEE

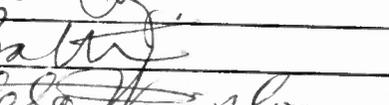
DATE: 

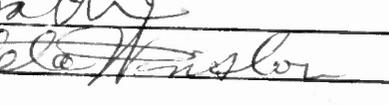
CHAIR: 

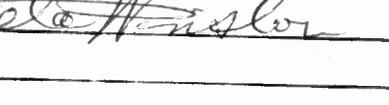














abstain ←



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SUITE 2700
ATLANTA, GEORGIA 30303
Main (404) 330-6033
Fax (404) 658-6103
Email municipalclerk@atlantaga.gov

March 20, 2013

Rhonda Levitt
c/o Attorney James L. Cannella, Jr.
Morgan & Morgan
191 Peachtree Street, NE, Suite 4200
Atlanta, Georgia 30303

13-R-0372

Dear Ms. Levitt:

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 4, 2013.

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

RCS# 2578
3/04/13
2:42 PM

Atlanta City Council

13-R-0372

CLAIM OF RHONDA LEVITT FOR INCIDENT
ON NOV. 20, 2012 AT HJAIA
ADOPT

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

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

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 12L0900

Date: January 30, 2013

Claimant /Victim RHONDA LEVITT
BY: (Atty) (Ins. Co.) JAMES CANNELLA, JR., MORGAN & MORGAN
Address: 191 Peachtree Street, Suite 4200, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ Bodily Injury \$ unspecified
Date of Notice: 12/12/12 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/20/12 Place: 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport
Department AVIATION Bureau: Office:
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges bodily injury sustained when she slipped on water while walking inside the terminal at the airport. However, the claim has been forwarded to the City's insurance carrier, Chartis, for resolution.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures 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 Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. X Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Handwritten Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: General Fund Water & Sewer Aviation
Claims Director/Manager: [Signature] Concur/date 2/4/13
Deputy City Attorney: Concur/date
Committee Action: Council Action

MORGAN & MORGAN®

Attorneys At Law

SUITE 4200
191 PEACHTREE STREET NE
ATLANTA, GA 30303
(404) 965-8811
FAX: (404) 965-8812

RECEIVED

DEC 12 2012
CITY OF ATLANTA
DEPT OF LAW

December 11, 2012

ENTERED - 12-18-12 - SB
12L0900 - G. BURNS

Burns
12/17/12
gjb

DEC 17 2012

Angelena Kelly
Claim Representative

CERTIFIED MAIL RETURN RECEIPT

7012-2210-0001-8201-0975



* 1 7 2 9 6 6 4 *

Kasim Reed, Mayor
City of Atlanta
55 Trinity Avenue
Atlanta, GA 30303

CERTIFIED MAIL RETURN RECEIPT

7012-2210-0001-8201-0951



* 1 7 2 9 6 6 4 *

Rhonda Dauphin Johnson
Municipal Clerk, City of Atlanta
55 Trinity Avenue
2nd floor, Suite #2700
Atlanta, GA 30303

CERTIFIED MAIL RETURN RECEIPT

7012-2210-0002-6003-4985



* 1 7 2 9 6 6 4 *

Cesar C. Mitchell, President
Atlanta City Council
City of Atlanta
55 Trinity Avenue
Atlanta, GA 30303

CERTIFIED MAIL RETURN RECEIPT

7012-2210-0002-6003-4893



* 1 7 2 9 6 6 4 *

Louis E. Miller, General Manager
Department of Aviation
6000 North Terminal Parkway
Atrium, Suite 4000
Atlanta, GA 30320

www.forthethepeople.com



CERTIFIED MAIL RETURN RECEIPT

7012-2210-0002-6003-4909



Cathy Hampton, City Attorney
City of Atlanta, Department of Law
68 Mitchell Street, Suite 4100
Atlanta, GA 30303

Re: Ante Litem Notice of Tort Claim
Our Client(s): Rhonda Levitt
Date of Incident: 11/20/2012
Your Claim No: unknown

To Whom It May Concern:

Within six (6) months of the date described above, this Notice is being sent pursuant to the requirements of O.C.G.A. § 36-33-5 to provide you with a thirty (30) day opportunity for adjustment of a tort claim against the City as a result of the following incident:

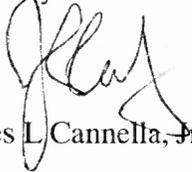
- (a) Name of the City Government entity involved:
- (b) Time: November 20, 2012;
- (c) Place: North Terminal Hartsfield Jackson Atlanta International Airport
- (d) Nature of Loss Suffered: multiple contusions to left side of body;
- (e) Amount of Loss Claimed: Rhonda Levitt has claims for her medical expenses, past and future, lost income, past and future in the amount of \$20,000 and a claim for her pain and suffering, mental and emotional suffering and any other non economic damages recoverable under all applicable laws in the amount of \$50,000. Please be advised the client is still receiving medical treatment which may affect the amount of the claim for medical expenses and all other non economic damages.
- (f) Acts or omissions which caused the loss: The City of Atlanta and/or Department of Aviation and/or Hartsfield Jackson Atlanta International Airport, its agents, employees, and/or representatives owed a legal duty of reasonable care to Rhonda Levitt, an invitee, to inspect and keep the premises in a safe condition to prevent harm and injury to Ms. Levitt when she slipped on water while walking in the Terminal. The City of Atlanta and/or Department of Aviation, and the Airport its agents, employees and/or representatives negligently failed to inspect the premises and failed to warn invitees of the dangerous condition that existed.

December 11, 2012
Page 3

No action to make a civil recovery for these claims will be commenced except upon the expiration of thirty days (30) following receipt of this notice, or the City's denial of the claim, which ever occurs first.

The information supplied herein is provided for the purposes of allowing you to conduct an investigation of the alleged incident and determine if the claim should be settled without litigation. Should you require additional information for that determination, please contact my Paralegal, Rhonda Levitt.

Sincerely



James L. Cannella, Jr.

JLC/ /mdm

cc: Rhonda Levitt

13- -0372