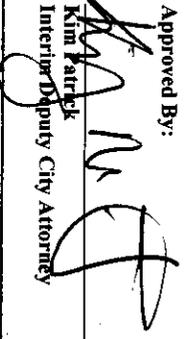


14-P-3137
(Do Not Write Above This Line)

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 NATIONWIDE AFFINITY INSURANCE COMPANY OF AMERICA AS SUBROGEE OF DORIS FULLER V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2013CV226946, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$3,500.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

Approved By: 
Kim Patrick
Interim Deputy City Attorney

- 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: _____

First Reading

Committee: _____
Date: _____
Chair: _____
Referred To: _____

Public Safety & Legal
Date: February 28, 2014
Chair: _____

Action: _____
Fav, Adv, Hold (See rev. side): _____
Other: _____
Members: _____

Action: _____
Fav, Adv, Hold (See rev. side): _____
Other: _____
Members: _____

Refer To: _____
Committee: _____
Date: _____
Chair: _____

Refer To: _____
Committee: _____
Date: _____
Chair: _____

Action: _____
Fav, Adv, Hold (See rev. side): _____
Other: _____
Members: _____

Action: _____
Fav, Adv, Hold (See rev. side): _____
Other: _____
Members: _____

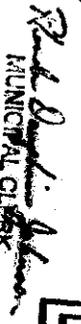
ADOPTED BY
FEB 03 2014
COUNCIL

Refer To: _____

Refer To: _____

- FINAL COUNCIL ACTION Readings
- 2ND
 - 1ST & 2ND
 - 3RD
 - Consent
 - V Vote
 - RC Vote

CERTIFIED
FEB 03 2014
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
FEB 03 2014

MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
FEB 12 2014
WITHOUT SIGNATURE
BY OPERATION OF LAW

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 NATIONWIDE AFFINITY INSURANCE COMPANY OF AMERICA AS SUBROGEE OF DORIS FULLER V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2013CV226946, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$3,500.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, NATIONWIDE AFFINITY INSURANCE COMPANY OF AMERICA AS SUBROGEE OF DORIS FULLER V. CITY OF ATLANTA, is a lawsuit in which Plaintiff sought to recover damages from the City of Atlanta resulting from alleged negligent actions by a City of Atlanta employee; and

WHEREAS, Plaintiff alleges the City of Atlanta employee was negligent in the use of a motor vehicle and that this alleged negligence caused Plaintiff's bodily injuries; and

WHEREAS, Plaintiff has agreed to accept the Settlement Amount in full settlement of all claims against the City of Atlanta; and

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 claim is in excess of the Settlement Amount; and

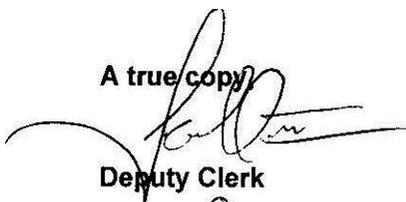
WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the Settlement Amount to settle all claims against the City of Atlanta.

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 NATIONWIDE AFFINITY INSURANCE COMPANY OF AMERICA AS SUBROGEE OF DORIS FULLER V. CITY OF ATLANTA in the amount of Three Thousand Five Hundred Dollars (\$3,500.00).

SECTION 2. The Chief Financial Officer is authorized to make payment from FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING). Payment shall be in the form of a check in the amount of 3,500.00 payable to Nationwide Affinity Insurance Company and Frederick J. Hanna & Associates, P.C., Attorneys for Plaintiff Doris Fuller, at 1427 Roswell Road, Marietta, Georgia 30062. 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


Deputy Clerk

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

FEB 03, 2014
FEB 12, 2014

RCS# 78
2/03/14
5:54 PM

Atlanta City Council

MULTIPLE

ALL CLAIMS FAVORABLE AND UNFAVORABLE
14-O-1058/1059/1060 AND 14-R-3137/3138
ADOPT

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

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

MULTIPLE