CERTIFIED
OCT 20 2003
ATLANTA CITY COUNCIL PRESIDENT
CERTIFIED
OCT 20 2003
MUNICIPAL CLERK

**Entered - 05/08/02 - sb**
**CL - 02L0335 LISA CARTER**

**03- R -1610**

**CLAIM OF: CHRISTOPHER LEWIS**
**300 Morning Pine Way**
**Alpharetta, Georgia 30005**

For damages alleged to have been sustained during an arrest on March 29, 2002 at 242 Edgewood Avenue.

THIS ADVERSED REPORT IS APPROVED

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

# ADVERSE REPORT

PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 10/14/03
CHAIR: _____

# OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

October 24, 2003

Christopher Lewis
300 Morning Pine Way
Alpharetta, GA 30005

**03-R-1610**

Dear Mr. Lewis:

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 October 20, 2003. 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.**

Yours very truly,

Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

**cc: Claims Division/Law Department**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **02L0335** Date: September 30, 2003

Claimant /Victim **CHRISTOPHER LEWIS**
BY: (Atty) (Ins. Co.) _____
Address: 300 Morning Pine Way Alpharetta, Georgia 30005
Subrogation: _____ Claim for Property damage $ 40.00 Bodily Injury $ _____
Date of Notice: 05/02/02 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/29/02 Place: 242 Edgewood Avenue
Department Police Services Bureau: _____ Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that he sustained damages during an arrest on 242 Edgewood Avenue. However, an investigation determined that there is no evidence to prove the allegations made by the claimant.

**INVESTIGATION:**

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver X
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 _____

Respectfully submitted,

Lisa Carter
INVESTIGATOR - LISA CARTER

**RECOMMENDATION:**

Pay $ _____ Adverse X Account charged: 1A01 ____ 2J01 ____ 2P01 ____
Claims Manager: _____ Concur/date 10/07/03
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 5099
10/20/03
4:32 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT:03-O-1695, 03-O-1444
03-O-1689, 03-O-1493, 03-O-1494
~~RECONSIDER~~
ADOPT

| | |
|---|---|
| YEAS: | 10 |
| NAYS: | 1 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 4 |
| EXCUSED: | 0 |
| ABSENT | 1 |

| | | | |
|---|---|---|---|
| Y Smith | Y Archibong | Y Moore | NV Mitchell |
| Y Starnes | Y Fauver | NV Martin | Y Norwood |
| N Young | Y Shook | Y Maddox | B Willis |
| NV Winslow | Y Muller | Y Boazman | NV Woolard |

CONSENT I

RCS# 5098
10/20/03
4:30 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I & II PGS 1-22 EXCEPT:03-O-1695
03-O-1444, 03-O-1689, 03-O-1493
RECONSIDER

| | |
|---|---|
| YEAS: | 10 |
| NAYS: | 1 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 4 |
| EXCUSED: | 0 |
| ABSENT | 1 |

See RCS# 5067

| | | | |
|---|---|---|---|
| Y Smith | Y Archibong | Y Moore | NV Mitchell |
| Y Starnes | Y Fauver | NV Martin | Y Norwood |
| N Young | Y Shook | Y Maddox | B Willis |
| NV Winslow | Y Muller | Y Boazman | NV Woolard |

CONSENT I

RCS# 5067
10/20/03
2:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-17, EXCEPT:03-O-1695, 03-O-1444, 03-O-1689, 03-O-1493
ADOPT

Reconsidered 104 in
See RCS # 5098

| | |
|---|---|
| YEAS: | 11 |
| NAYS: | 0 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 4 |
| EXCUSED: | 0 |
| ABSENT | 1 |

| | | | |
|---|---|---|---|
| Y Smith | Y Archibong | Y Moore | Y Mitchell |
| Y Starnes | Y Fauver | NV Martin | Y Norwood |
| Y Young | Y Shook | Y Maddox | B Willis |
| Y Winslow | NV Muller | NV Boazman | NV Woolard |

CONSENT I

| | | 10-20-03 Council Meeting |
|---|---|---|
| **ITEMS ADOPTED ON CONSENT** | **ITEMS ADOPTED ON CONSENT** | **ITEMS ADVERSED ON CONSENT** |
| 1. 03-O-1509<br>2. 03-O-1510<br>3. 03-O-1706<br>4. 03-O-1354<br>5. 03-O-1500<br>6. 03-O-1501<br>7. 03-O-1130<br>8. 03-O-1434<br>9. 03-O-1512<br>10. 03-O-1586<br>11. 03-O-0662<br>12. 03-R-1669<br>13. 03-R-1508<br>14. 03-R-1661<br>15. 03-R-1662<br>16. 03-R-1663<br>17. 03-R-1664<br>18. 03-R-1691<br>19. 03-R-1704<br>20. 03-R-1670<br>21. 03-R-1671<br>22. 03-R-1672<br>23. 03-R-1673<br>24. 03-R-1674<br>25. 03-R-1675<br>26. 03-R-1654<br>27. 03-R-1655<br>28. 03-R-1711<br>29. 03-R-1724<br>30. 03-R-1725<br>31. 03-R-1726<br>32. 03-R-1727<br>33. 03-R-1656<br>34. 03-R-1657<br>35. 03-R-1728<br>36. 03-R-1594<br>37. 03-R-1595<br>38. 03-R-1596<br>39. 03-R-1597<br>40. 03-R-1598 | 41. 03-R-1599<br>42. 03-R-1600<br>43. 03-R-1601<br>44. 03-R-1602------<br>**Items Adversed on Consent**<br>45. 03-R-1603<br>46. 03-R-1604<br>47. 03-R-1605<br>48. 03-R-1606<br>49. 03-R-1607<br>50. 03-R-1608<br>51. 03-R-1609<br>52. 03-R-1610<br>53. 03-R-1611<br>54. 03-R-1612<br>55. 03-R-1613<br>56. 03-R-1614<br>57. 03-R-1615<br>58. 03-R-1616<br>59. 03-R-1617<br>60. 03-R-1618<br>61. 03-R-1619<br>62. 03-R-1620<br>63. 03-R-1621<br>64. 03-R-1622<br>65. 03-R-1623<br>66. 03-R-1624<br>67. 03-R-1625<br>68. 03-R-1626<br>69. 03-R-1627<br>70. 03-R-1628<br>71. 03-R-1629<br>72. 03-R-1630<br>73. 03-R-1631<br>74. 03-R-1632<br>75. 03-R-1633<br>76. 03-R-1634<br>77. 03-R-1635<br>78. 03-R-1636<br>79. 03-R-1637 | 80. 03-R-1638<br>81. 03-R-1639<br>82. 03-R-1640<br>83. 03-R-1641<br>84. 03-R-1642<br>85. 03-R-1643<br>86. 03-R-1644<br>87. 03-R-1645<br>88. 03-R-1646<br>89. 03-R-1647<br>90. 03-R-1648<br>91. 03-R-1649 |