Entered - 09/05/01 - sb
CL01L0554 - DIANNE C. MITCHELL

CLAIM OF: **KEYNA BREWTON,**
through her attorney,
Kenneth S. Nugent
Suite 1000
1355 Peachtree Street
Atlanta, Georgia 30309

01-R -1544

For damages alleged to have been sustained as a result of a vehicular accident on January 24, 2001 at 2870 Forest Hills Drive.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell by Robin M Coy DCA
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

C-27

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0554 Date: September 10, 2001

Claimant /Victim KEYNA BREWTON
BY: (Atty) Kenneth S. Nugent
Address: Suite 1000, 1355 Peachtree Street, Atlanta, Georgia 30309
Subrogation: _____ Claim for Property damage $ _____ Bodily Injury $ 4,424.00
Date of Notice: 09/04/01 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) _____
Date of Occurrence 01/24/01 Place: 2870 Forest Hills Drive
Department Police Division: _____
Employee involved Larry B. Marshall Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she was injured when a City vehicle rear ended the vehicle in which she was riding. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5, the six month statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months X Other _____ 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,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: _____ Concur/date 09-12-01
Committee Action: _____ Council Action _____

FORM 23-61

KENNETH S. NUGENT, P.C.
ATTORNEYS AT LAW

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OFFICES THROUGHOUT GEORGIA

✿ ALSO ADMITTED IN FLORIDA
* ALSO ADMITTED IN TENNESSEE
♦ ALSO ADMITTED IN ALABAMA
+ ADMITTED IN SOUTH CAROLINA

WWW.ATTORNEYKENNUGENT.COM

Mitchell
09/04/01

August 29, 2001

VIA CERTIFIED MAIL

ENTERED - 9-5-01 - SB
01L0554 - DIANNE MITCHELL

Ms. Diane Mitchell
City of Atlanta Law Department
68 Mitchell Street
Suite 4100
Atlanta, GA 30335

RE:	Client	: Keyna Brewton
	Insured	: City Of Atlanta
	Policy No.	: Self
	Date of Accident	: 1/24/2001
	Our File No.	: 800086

Dear Sir or Madam:

Our firm represents Keyna Brewton for personal injuries sustained as a result of the referenced accident.

Enclosed, please find a copy of the police report for your file.

Pursuant to O.C.G.A. §33-3-28, please forward to me a copy of all coverage information that may provide liability or med-pay coverage for the above-styled incident. Under the code section you have 60 days to provide an affidavit of coverage or a certified copy of the policy declaration page. Also find enclosed is our Affidavit requesting your policy declaration page.

In addition, please contact our office to discuss the property damage portion of this claim at your earliest convenience.

Sincerely,

Kenneth S. Nugent, Esq.

KSN/SYB
Enclos.

01-R -1544