



July 31, 2015

Mr. David Sutherland
128 G Sunshine Avenue
Savannah, GA 31405

Re: Notice of Tort Action Pursuant to Ga. Tort Claims Act

Dear Mr. Sutherland:

This will acknowledge receipt of your July 27, 2015 letter notifying of your intent to file suit against the City, the Savannah-Chatham Metropolitan Police Department and certain specified officers arising from an incident on June 4, 2015. You have also demanded \$800,000.

As a matter of legal merit, the City sees none in your claims and rejects them accordingly. Furthermore, the incident described in your July 27th letter formed the basis of a lawsuit you filed last month styled *David Sutherland v. Savannah-Chatham Police Department, et al.*, (S.D. Ga., Case No. CV415-188). After applying for leave to proceed *in forma pauperis*, the Court ordered you (described in Judge Smith's words as "a frequent, flagrantly frivolous litigant in this Court" with a history of filing "jaw-droppingly frivolous" claims) to pay \$200 towards the filing fee of "this latest frivolous filing." Instead, you voluntarily dismissed the case.

To the extent you may be inclined to refile, the City draws your attention to Federal Rule of Civil Procedure 11, which provides for the imposition of sanctions where a litigant presents frivolous claims. The City contests the viability of any claims you may assert and will seek all available relief pursuant to Rule 11.

Be governed accordingly.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer N. Herman".

JENNIFER N. HERMAN
ASSISTANT CITY ATTORNEY

JNH/lea