

**BEFORE THE CITY OF ATLANTA  
BOARD OF ETHICS**

In the Matter of: )  
 )  
 Robert Godfrey ) Case No. CO-09-001  
 )  
 Respondent )  
 )

**FINAL OPINION AND ORDER**

This matter came before the City of Atlanta Board of Ethics on July 15, 2010, for a public enforcement hearing to determine whether Robert Godfrey, a city employee, had violated section 2-817 of the Atlanta, Georgia, Code of Ordinances, which prohibits the acceptance of gratuities from a prohibited source. Mr. Godfrey received proper notice of the hearing and appeared before the Board.

After considering the record and hearing arguments from both parties, the Board makes the following findings of fact and conclusions of law:

1. Robert Godfrey is a senior assistant city attorney for the City of Atlanta Law Department and has been employed with the City since 1999.
2. Martin & Jones, PLLC is a litigation firm that filed several lawsuits against the City in Fulton County Superior Court on behalf of city residents alleging that flooding damaged their homes and properties because the City failed to maintain and upgrade its sewage system. Clinton W. Sitton and Sam L. Starks were the two firm attorneys assigned to the cases.
3. From July 2006 through April 2009, Mr. Godfrey was lead defense counsel for the City in the flood lawsuits filed by Martin & Jones.
4. On July 7, 2006, Mr. Godfrey wrote a letter to Mr. Starks in which he suggested that they meet and confer the following week about the pending cases and attempt to resolve issues related to discovery.
5. On July 13, 2006, Mr. Godfrey had dinner at Silk Restaurant on Peachtree Street in Midtown Atlanta with Mr. Sitton and Mr. Starks. The total cost of the dinner was \$294.11.
6. On December 3, 2007, Mr. Godfrey had a dinner meeting at Silk Restaurant with at least one attorney in the Martin & Jones firm. The total cost of the dinner was \$153.48.
7. Martin & Jones paid for the two dinners.


8. The purpose of the dinner meetings was to discuss discovery disputes in the pending flood cases that Martin & Jones was litigating against the City.
9. Martin and Jones, LLPC, and its attorneys are prohibited sources because they represented clients seeking official action from the City and had interests that may be substantially affected by the way Mr. Godfrey performed his official duties as defense counsel.
10. Mr. Godfrey received a gratuity in violation of section 2-817 when he accepted two dinners paid for by attorneys in the Martin & Jones law firm, a prohibited source.

Based on these findings, the Board orders Mr. Godfrey to pay an administrative sanction of \$175 to the City of Atlanta from personal funds within 30 days of the date of this order.

The Respondent has the right to appeal this opinion and order by seeking review by writ of certiorari to the superior court of the county. See Atlanta, Ga., Code § 2-807 (d). If the Respondent fails to comply with this order, he may be subject to prosecution in Municipal Court for a violation of the Code of Ethics.

So ordered this 19<sup>th</sup> day of July, 2010.

For the City of Atlanta Board of Ethics



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MaryAnne F. Gaunt  
Vice Chair and Presiding Officer  
City of Atlanta Board of Ethics