

1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING THE SETTLEMENT OF THE CROSS-COMPLAINT OF THE CITY AND  
3 COUNTY OF SAN FRANCISCO AGAINST CROSS-DEFENDANT SHANK  
4 BALFOUR/BEATTY IN THE CONSOLIDATED ACTIONS ENTITLED *YEE V. CITY AND*  
5 *COUNTY OF SAN FRANCISCO, AND CONSOLIDATED ACTIONS, SAN FRANCISCO*  
6 SUPERIOR COURT NO. 980-740, FOR A SETTLEMENT PAYMENT TO THE CITY IN THE  
7 AMOUNT OF \$800,000;

8  
9 Section 1. The City Attorney is hereby authorized to settle the cross-complaint of the  
10 City and County of San Francisco against Cross-defendant Shank Balfour/Beatty in the  
11 consolidated actions entitled *Yee v. City and County of San Francisco, and consolidated*  
12 *actions, San Francisco Superior Court No. 980-740, for a settlement payment to the City in*  
13 *the amount of \$800,000. As consideration for this settlement, the City has agreed to dismiss*  
14 *with prejudice its cross-complaint against Shank in the referenced litigation, to fully release*  
15 *Shank from all claims arising from the December 11, 1995 Seacliff incident, and to defend,*  
16 *indemnify and hold Shank harmless in the referenced litigation and in any future litigation*  
17 *related to the Seacliff incident. Shank has agreed to dismiss with prejudice its cross-*  
18 *complaints against the City in the referenced litigation and to assign to the City all claims that*  
19 *it has against any other entity arising from the Seacliff incident.*

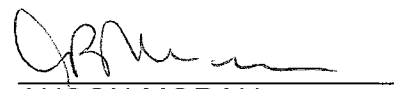
20 APPROVED AS TO FORM:

RECOMMENDED:

21 LOUISE H. RENNE, City Attorney

PUBLIC UTILITIES COMMISSION

22  
23 By:   
24 PATRICK J. MAHONEY  
25 Chief Trial Deputy

By:   
ANSON MORAN  
General Manager



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

## Ordinance

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**File Number:** 990978

**Date Passed:**

Ordinance authorizing settlement of the cross-complaint of the City and County of San Francisco against cross-defendant Shank Balfour/Beatty in the consolidated actions entitled Yee v. City and County of San Francisco, and Consolidated Actions, for settlement payment to the City in the amount of \$800,000.

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June 14, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

June 21, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

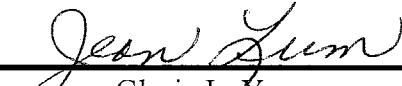
File No. 990978

I hereby certify that the foregoing Ordinance  
was FINALLY PASSED on June 21, 1999 by  
the Board of Supervisors of the City and  
County of San Francisco.

JUL - 1 1999


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Date Approved

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Gloria L. Young  
Clerk of the Board

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Mayor Willie L. Brown Jr.