

FILE NO. 010028

ORDINANCE NO. 32-01

RO#00043

1 [Settlement Of Lawsuit]

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3 Ordinance authorizing settlement of the lawsuit filed by David L. Birkholz, An Incompetent, et
4 al. versus the City and County of San Francisco for \$50,000.00; the lawsuit was filed on
5 6/22/95 in Superior Court of San Francisco, Case No. 970-567; entitled David L. Birkholz, An
6 Incompetent, et al. v. State of California, City and County of San Francisco, et al; material
7 terms of said settlement are: in consideration of City making payment of \$50,000.00 to the
8 plaintiff, the plaintiff agrees to dismiss the suit against the City and County of San Francisco
9 and all the individually named City employee defendants.

10 Be it ordained by the People of the City and County of San Francisco:

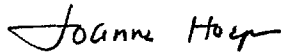
11 Section 1. The City Attorney is hereby authorized to settle the action entitled "
12 David L. Birkholz, An Incompetent, et al. v. State of California, City and County of San
13 Francisco, et al, Superior Court of San Francisco, Court No. 970-567 by the payment of
14 \$50,000.

15 Section 2. The above-named action was filed in the Superior Court of San
16 Francisco on 6/22/95, and the following parties were named in the lawsuit: David L. Birkholz, an
17 incompetent, by his Guardians ad Litem, David F. Birkholz and Renee F. Birkholz, vs. State of
18 California, Haight Ashbury Free Clinics, Raymond Bashista, City and County of San
19 Francisco; Michael Hennessey, Veronica Keller, Beatrice Smith, Richard Garibald; Ellen Brin,
20 Steven Smith, David Lara, Kenneth Washington, David Dear, Dominic Gamboa, William Joe,
21 George Landis, James Sears, Feodor Ponomaranko, and Robert Kramer, M.D.

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APPROVED AS TO FORM AND
RECOMMENDED:

LOUISE H. RENNE
City Attorney



JOANNE HOEPER
Chief Trial Deputy

FUNDS AVAILABLE:



EDWARD HARRINGTON
Controller

RECOMMENDED:

SHERIFF'S DEPARTMENT



MICHAEL HENNESSEY
Sheriff



City and County of San Francisco

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

Tails

Ordinance

File Number: 010028

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by David L. Birkholz, An Incompetent, et al. versus the City the County of San Francisco for \$50,000.00; the lawsuit was filed on 6/22/95 in Superior Court of San Francisco, Case No. 970-567; entitled David L. Birkholz, An Incompetent, et al. v. State of California, City and County of San Francisco, et al; material terms of said settlement are: in consideration of City making payment of \$50,000.00 to the plaintiff, the plaintiff agrees to dismiss the suit against the City and County of San Francisco and all the individually named City employee defendants.

February 20, 2001 Board of Supervisors — PASSED ON FIRST READING

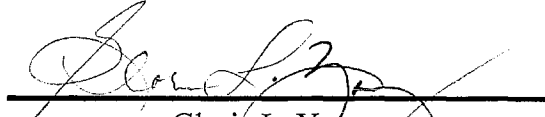
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

February 26, 2001 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

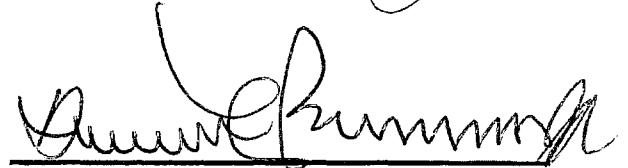
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I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on February 26, 2001 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAR 09 2001
Date Approved



Mayor Willie L. Brown Jr.