

1 [Settlement of Lawsuits]

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3 **Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams**
4 **against the City and County of San Francisco: (1) lawsuit filed on or about December**
5 **2000 in United States District Court for the Northern District of California, Case**
6 **No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.;**
7 **(2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case**
8 **No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit**
9 **filed on or about September 2002 in San Francisco Superior Court, Case No. 411914;**
10 **entitled Kevin Williams, on behalf of the City and County of San Francisco and himself**
11 **v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses**
12 **all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes**
13 **future City employment, that City pays to plaintiff the amount of \$120,000, of which**
14 **approximately \$71,243.68 is intended to make up a retirement account shortfall, and**
15 **that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based**
16 **on motion by plaintiff's attorneys, in an amount not to exceed \$280,000.**

17
18 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. The City Attorney is hereby authorized to settle the following actions:

20 (1) Kevin Williams v. City and County of San Francisco, et al., United States District Court for
21 the Northern District of California, Case No. C00-4728 SI; (2) Kevin Williams v. City and
22 County of San Francisco, San Francisco Superior Court, Case No. 503990; and (3) Kevin
23 Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc.,
24 et al., San Francisco Superior Court, Case No. 411914; based on the following material terms:
25 that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment

1 and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of
2 which approximately \$71,243.68 is intended to make up a retirement account shortfall, and
3 that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on
4 motion by plaintiff's attorneys, in an amount not to exceed \$280,000.

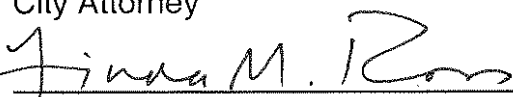
5 Section 2. The above-named action Kevin Williams v. City and County of
6 San Francisco, et al. was filed in the United States District Court for the Northern District of
7 California on or about December 2000, and the following parties were named in the lawsuit:
8 Kevin Williams, plaintiff, and City and County of San Francisco and Virginia Harmon,
9 defendants; the above-named action Kevin Williams v. City and County of San Francisco was
10 filed in San Francisco Superior Court on or about December 2003, and the following parties
11 were named in the lawsuit: Kevin Williams, plaintiff, and City and County of San Francisco,
12 defendant; the above-named action Kevin Williams, on behalf of the City and County of
13 San Francisco and himself v. Tutor Saliba, Inc., et al. was filed in San Francisco Superior
14 Court on or about September 2002, and the following parties were named in the lawsuit:
15 Kevin Williams, plaintiff, and Tutor Saliba, Inc., John Martin, Tom Kardos, Jackson Wong,
16 Ernie Eavis, Zula Jones and Marivic Bamba, defendants.

17 APPROVED AS TO FORM AND
18 RECOMMENDED:

RECOMMENDED:


19 DENNIS J. HERRERA
20 City Attorney

HUMAN RIGHTS COMMISSION

21 
22 LINDA M. ROSS
Deputy City Attorney

23 
24 VIRGINIA HARMON
25 Director, Human Rights Commission

FUNDS AVAILABLE:

23 
24 EDWARD HARRINGTON
25 Controller

OFFICE OF THE CITY ATTORNEY
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails Ordinance

File Number: 041340

Date Passed:

Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams against the City and County of San Francisco: (1) lawsuit filed on or about December 2000 in United States District Court for the Northern District of California, Case No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.; (2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit filed on or about September 2002 in San Francisco Superior Court, Case No. 411914; entitled Kevin Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of which approximately \$71,243.68 is intended to make up a retirement account shortfall, and that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on motion by plaintiff's attorneys, in an amount not to exceed \$280,000.

November 2, 2004 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

November 16, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, Peskin, Sandoval

Excused: 2 - Ma, McGoldrick

File No. 041340

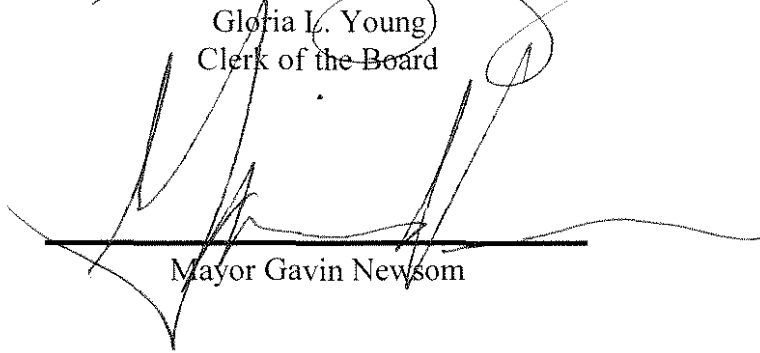
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on November 16,
2004 by the Board of Supervisors of the City
and County of San Francisco.

NOV 18 2004

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom