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[Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40.

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

Section 1. The City Attorney is hereby authorized to settle the action entitled "Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al.", San Francisco Superior Court, Case No. 460-409 by the payment of \$420,000 to the City and the partial termination of the existing lease to The J. David Gladstone Institutes dated as of February 1, 1990 to remove certain space located in Building 40 at San Francisco General Hospital from the leased premises. A copy of the settlement agreement and the partial lease termination is contained in Board File No. 071575. The Board of Supervisors approves and authorizes the City's execution, delivery and performance of the settlement agreement and partial lease termination.

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1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 February 13, 2007, and the following parties were named in the lawsuit: Trustees of The J.
3 David Gladstone Institutes, Albert A. Dorman, Andrew S. Garb and Richard D. Jones,
4 Plaintiffs; City and County of San Francisco, Defendant.

5
6 APPROVED AS TO FORM AND
7 RECOMMENDED:

8 DENNIS J. HERRERA
9 City Attorney

10 
11 JOANNE HOEPER
12 Chief Trial Deputy

13 FUNDS AVAILABLE:

14 ~~EDWARD HARRINGTON~~
15 ~~Controller~~

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

16 
17 MITCHELL KATZ, M.D.
18 Director

APPROVED:

19 
20 SECRETARY
21 HEALTH COMMISSION



City and County of San Francisco

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

Tails

Ordinance

File Number: 071575

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40.

January 8, 2008 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

January 15, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 071575

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on January 15, 2008
by the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board

1.18.08

Date Approved



Mayor Gavin Newsom