

1 [Settlement of Lawsuit]

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Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against PACIFIC GAS AND ELECTRIC CO., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation v. PACIFIC GAS & ELECTRIC CO., a corporation, STACY AND WITBECK/ESQUIVEL, a joint venture, STACY AND WITBECK, INC., a corporation, ESQUIVEL GRADING AND PAVING, INC., a corporation, BAUMAN LANDSCAPE, INC., a corporation, and DOES 1 to 25, inclusive,

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 "City and County Of San Francisco v. Pacific Gas & Electric Company, et al.," Case No. CGC-05-442416 by the payment of \$357,036.43 to the City. A copy of the settlement agreement is contained in Board File No. _____. The Board of Supervisors approves and authorizes the City's execution, delivery and performance of the settlement agreement.

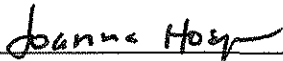
Section 2. The above-named lawsuit was filed in San Francisco Superior Court on June 20, 2005, and the following parties were named in the lawsuit: City and County of San Francisco, Plaintiff; Pacific Gas and Electric Company, STACY AND WITBECK/ESQUIVEL, a joint venture, STACY AND WITBECK, INC., a corporation, ESQUIVEL GRADING AND PAVING, INC., a corporation, BAUMAN LANDSCAPE, INC., Defendants.

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1 Section 3. The Board of Supervisors approves and authorizes the City's execution,
2 delivery and performance of the settlement agreement.

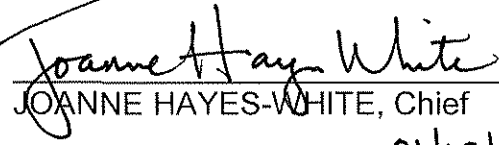
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4 APPROVED AS TO FORM AND
RECOMMENDED:

5 DENNIS J. HERRERA
6 City Attorney

7 
8 JOANNE HOEPER
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO FIRE DEPARTMENT

9
10 
11 JOANNE HAYES-WHITE, Chief

01/18/08

12 ~~FUNDS AVAILABLE:~~

13 ~~EDWARD HARRINGTON~~
14 ~~Controller~~

APPROVED:

15 
16 SECRETARY
17 Commission for Fire Department



City and County of San Francisco

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

Tails

Ordinance

File Number: 080334

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive.

April 29, 2008 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin,
Sandoval

Excused: 2 - Alioto-Pier, McGoldrick


May 6, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick,
Mirkarimi, Peskin, Sandoval

Absent: 1 - Maxwell

File No. 080334

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 6, 2008 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board

5.13.08

Date Approved



Mayor Gavin Newsom