

1 [Settlement of Lawsuit]

2

3 **Ordinance authorizing settlement of two lawsuits, which were filed by Earnest**

4 **Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox**

5 **against the City and County of San Francisco and its employees for a total amount of**

6 **\$217,000.00; the first lawsuit was filed on January 14, 2005 in the United States District**

7 **Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled**

8 **Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second**

9 **lawsuit was filed on October 18, 2005 in the United States District Court for the**

10 **Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City**

11 **and County of San Francisco, et al.; the above total settlement amount also includes all**

12 **claims for costs and attorneys' fees.**

13

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

15 Section 1. The City Attorney is hereby authorized to settle the actions entitled Earnest

16 Henderson, et al., v. City and County of San Francisco, et al., United States District Court for

17 the Northern District of California, Case No. C05-0280 VRW/WAF, and "Mack Woodfox v. City

18 and County of San Francisco, et al.," United States District Court for the Northern District of

19 California, Case No. C05-4220 VRW, by the payment of a total amount of \$217,000.00, which

20 includes all claims for costs and attorneys' fees.

21 Section 2. The action entitled Earnest Henderson, et al., v. City and County of San

22 Francisco, et al. was filed in the United States District Court for the Northern District of

23 California on January 14, 2005 and the following parties were named in the lawsuit: Plaintiffs

24 Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, and Arturo Pleitez; Defendants

1 City and County of San Francisco, Sheriff Michael Hennessey, Deputy Glenn Young, Deputy  
2 Miguel Prado, and Deputy Larry Napata.

3 Section 3. The action entitled Mack Woodfox v. City and County of San Francisco, et  
4 al. was filed in the United States District Court for the Northern District of California on  
5 October 18, 2005 and the following parties were named in the lawsuit: Plaintiff Mack  
6 Woodfox; Defendants City and County of San Francisco, Sheriff Michael Hennessey, and  
7 Deputy Miguel Prado.

8  
9 APPROVED AS TO FORM AND  
10 RECOMMENDED:

11 DENNIS J. HERRERA  
12 City Attorney

13   
14 \_\_\_\_\_  
15 JOANNE HOEPER  
16 Chief Trial Deputy

RECOMMENDED:

SHERIFF'S DEPARTMENT

17   
18 \_\_\_\_\_  
19 MICHAEL HENNESSEY  
20 Sheriff

21 FUNDS AVAILABLE:

22   
23 \_\_\_\_\_  
24 BEN ROSENFELD  
25 Controller

Index Code: 975021  
Subobject: 05312



City and County of San Francisco  
**Tails**  
**Ordinance**

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

**File Number:** 091264

**Date Passed:** December 15, 2009

Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of \$217,000; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees.

December 08, 2009 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi


December 15, 2009 Board of Supervisors - FINALLY PASSED

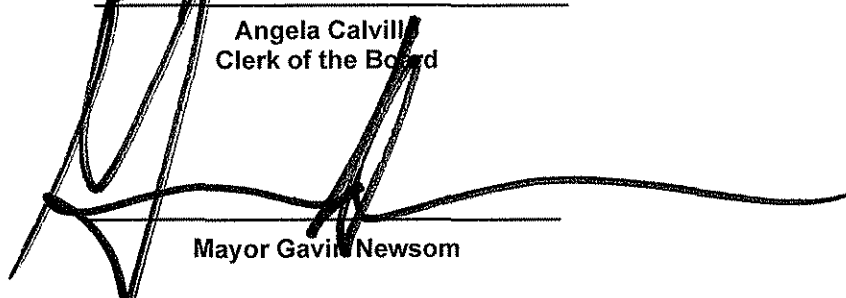
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 091264

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 12/15/2009 by the Board of Supervisors of the City and County of San Francisco.

18 December 2009  
Date Approved

  
\_\_\_\_\_  
Angela Calvill  
Clerk of the Board

  
\_\_\_\_\_  
Mayor Gavin Newsom