

1 [Settlement of Lawsuit - FlightCar Incorporated - City to Receive \$230,000]

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3 **Ordinance authorizing settlement of lawsuit filed by the City Attorney on behalf of**  
4 **People of the State of California against FlightCar Incorporated and the Cross-**  
5 **Complaint filed by FlightCar Incorporated against the City and County of San**  
6 **Francisco; for the payment of \$230,000 by FlightCar Incorporated to the City; the**  
7 **underlying lawsuit was filed on May 31, 2013, in San Francisco Superior Court, Case**  
8 **No. CGC-13-531807, entitled People of the State of California v. FlightCar, Inc. and later**  
9 **changed venue to Santa Clara County Superior Court, Case No. 1-13-CV-251634;**  
10 **FlightCar Incorporated's Cross-Complaint, entitled FlightCar Incorporated v. City and**  
11 **County of San Francisco, with the same case number, was filed on February 4, 2014.**

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

14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action and cross-complaint entitled People of the  
16 State of California against FlightCar Incorporated and FlightCar Incorporated v. City and  
17 County of San Francisco, Santa Clara Superior Court, Case No. 1-13-CV-251634 for the  
18 payment of \$230,000 by FlightCar Incorporated to the City and County of San Francisco.  
19 Additional settlement terms include a requirement that FlightCar Incorporated apply for and  
20 secure a permit as an Off-Airport Rental Car Company with San Francisco International  
21 Airport.

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1 Section 2. The above-named complaint was filed in San Francisco Superior Court on  
2 May 31, 2013 and then changed venue to Santa Clara County Superior Court; the cross-  
3 complaint was filed in Santa Clara County Superior Court; the following parties were named in  
4 these actions: People of the State of California (Plaintiff), FlightCar Incorporated (Defendant  
5 and Cross-Complainant), and City and County of San Francisco (Cross-Defendant). The San  
6 Francisco International Airport and John L. Martin were both initially named as Cross-  
7 Defendants, but were dismissed by Cross-Complainants.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



YVONNE R. MERE  
Chief Attorney  
Neighborhood and Resident Protection  
Division

RECOMMENDED:

San Francisco International Airport



JOHN L. MARTIN  
Director of San Francisco International Airport



City and County of San Francisco

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

Tails
Ordinance

File Number: 150330

Date Passed: June 02, 2015

Ordinance authorizing settlement of lawsuit filed by the City Attorney on behalf of People of the State of California against FlightCar Incorporated and the Cross-Complaint filed by FlightCar Incorporated against the City and County of San Francisco; for the payment of \$230,000 by FlightCar Incorporated to the City; the underlying lawsuit was filed on May 31, 2013, in San Francisco Superior Court, Case No. CGC-13-531807, entitled People of the State of California v. FlightCar, Inc. and later changed venue to Santa Clara County Superior Court, Case No. 1-13-CV-251634; FlightCar Incorporated's Cross-Complaint, entitled FlightCar Incorporated v. City and County of San Francisco, with the same case number, was filed on February 4, 2014.

May 07, 2015 Government Audit and Oversight Committee - RECOMMENDED..

May 19, 2015 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 10 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Mar, Tang, Wiener and Yee
Excused: 1 - Kim

June 02, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150330

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 6/2/2015 by the Board of Supervisors of the City and County of San Francisco.

Signature of Angela Calvillo
for Angela Calvillo
Clerk of the Board

Signature of Mayor
Mayor

6/12/15
Date Approved