

FILE NO. 990018

ORDINANCE NO. 23-99

1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING THE CITY TO DISMISS WITH PREJUDICE CITY'S CROSS-COMPLAINT  
3 AGAINST SUB-CONTRACTORS TIGHT ACCESS EXCAVATION ("TIGHT ACCESS"), D.W.  
4 YOUNG CONSTRUCTION ("D.W. YOUNG"), MARINSHIP SERVICE AND D.W. YOUNG  
5 CONSTRUCTION/MARINSHIP CONSTRUCTION, JOINT VENTURE (COLLECTIVELY  
6 "MARINSHIP"), FRANK & GROSSMAN AND LOMBARDI CONSTRUCTION ("LOMBARDI")  
7 FROM THE CONSOLIDATED ACTIONS ENTITLED *YEE V. CITY AND COUNTY OF SAN*  
8 *FRANCISCO, AND CONSOLIDATED ACTIONS*

9  
10 Section 1. The City Attorney is hereby authorized to dismiss with prejudice City's  
11 cross-complaint against sub-contractors Tight Access Excavation ("Tight Access"), D.W.  
12 Young Construction ("D.W. Young"), Marinship Service and D.W. Young  
13 Construction/Marinship Construction, Joint Venture (collectively "Marinship"), Frank &  
14 Grossman, and Lombardi Construction ("Lombardi") from the consolidated actions entitled  
15 *Yee v. City and County of San Francisco, and Consolidated Actions*, San Francisco Superior  
16 Court No. 980-740. The City will continue to maintain its rights to pursue its cross-action  
17 against contractor Shank Balfour/Beatty and its insurance carriers.  
18  
19  
20

21 APPROVED AS TO FORM:

22 LOUISE H. RENNE, City Attorney

23  
24 By: Joanne Hoep - FOR  
25 PATRICK J. MAHONEY  
Chief Trial Deputy



# City and County of San Francisco

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

## Tails Ordinance

**File Number:** 990018

**Date Passed:**

Ordinance authorizing the City to dismiss with prejudice City's cross-complaint against sub-contractors Tight Access Excavation ("Tight Access"), D.W. Young Construction (D.W. Young"), Marinship Service and D.W. Young Construction/Marinship Construction, joint venture (collectively "Marinship"), Frank and Grossman and Lombardi Construction ("Lombardi") from the consolidated actions entitled Yee v. City and County of San Francisco, and consolidated actions.

February 8, 1999 Board of Supervisors — PASSED, ON FIRST READING

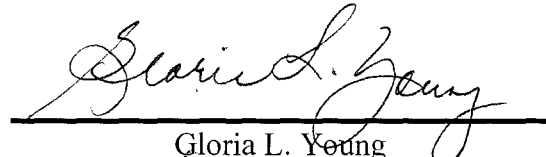
Ayes: 10 - Yee, Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki  
Absent: 1 - Katz

February 17, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki  
Absent: 2 - Katz, Yee

File No. 990018

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on February 17, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young  
Clerk of the Board

FEB 26 1999

Date Approved



Mayor Willie L. Brown Jr.