

1 [Settlement of Consolidated Lawsuits - Abdullah Wazwaz, Jason Moore, Kenneth Yeung,
2 Brian Kam, Taira De Bernardi, Stephen Val Kirwan - \$503,506.33]

3 **Ordinance authorizing settlement of two consolidated lawsuits filed by Taira De**
4 **Bernardi, Stephen Val Kirwan, Abdullah Wazwaz, Jason Moore, Kenneth Yeung, and**
5 **Brian Kam, acting for themselves and others similarly situated, against the City and**
6 **County of San Francisco for \$503,506.33; the first lawsuit was filed on July 30, 2018, in**
7 **United States District Court for the Northern District of California, Case**
8 **No. 3:18-cv-04597, entitled Taira De Bernardi and Stephen Val Kirwan v. City and**
9 **County of San Francisco; and the second lawsuit was filed on September 14, 2018, in**
10 **United States District Court for the Northern District of California, Case**
11 **No. 3:18-cv-05580, entitled Abdullah Wazwaz, Jason Moore, Kenneth Yeung and Brian**
12 **Kam v. City and County of San Francisco; the lawsuits involve employment disputes.**

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

15 Section 1. Pursuant to Charter section 6.102(5), the Board of Supervisors hereby
16 authorizes the City Attorney to settle the actions entitled Taira De Bernardi, Stephen Val
17 Kirwan vs. City and County of San Francisco, United States District Court for the Northern
18 District of California, Case No. 3:18-cv-04597 and Abdullah Wazwaz, Jason Moore, Kenneth
19 Yeung, Brian Kam vs. The City and County of San Francisco, United States District Court for
20 the Northern District of California, Case No. 3:18-cv-05580, by the payment of \$503,506.33.
21 The lawsuits involve employment disputes.

1 Section 2. The above-named actions were filed in United States District Court for the
2 Northern District of California on July 30, 2018 and September 14, 2018, and the following
3 parties were named in the lawsuit: Plaintiffs Abdullah Wazwaz, Jason Moore, Kenneth
4 Yeung, Brian Kam, Taira De Bernardi, Stephen Val Kirwan, acting for themselves and other
5 similarly situated employees; Defendant City and County of San Francisco.

6
7 APPROVED AS TO FORM AND
RECOMMENDED:

RECOMMENDED:

8 DENNIS J. HERRERA
9 City Attorney

SAN FRANCISCO SHERIFF DEPARTMENT

10
11 /s/
KATHARINE HOBIN-PORTER
12 Chief Labor Attorney

/s/
CAROL ISEN
13 Acting Human Resources Director for
14 Department of Human Resources

15 FUNDS AVAILABLE:

16 /s/
BEN ROSENFELD
17 Controller

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City and County of San Francisco

Tails
Ordinance

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

File Number: 201313

Date Passed: February 09, 2021

Ordinance authorizing settlement of two consolidated lawsuits filed by Taira De Bernardi, Stephen Val Kirwan, Abdullah Wazwaz, Jason Moore, Kenneth Yeung, and Brian Kam, acting for themselves and others similarly situated, against the City and County of San Francisco for \$503,506.33; the first lawsuit was filed on July 30, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-04597, entitled Taira De Bernardi and Stephen Val Kirwan v. City and County of San Francisco; and the second lawsuit was filed on September 14, 2018, in United States District Court for the Northern District of California, Case No. 3:18-cv-05580, entitled Abdullah Wazwaz, Jason Moore, Kenneth Yeung and Brian Kam v. City and County of San Francisco; the lawsuits involve employment disputes.

January 21, 2021 Government Audit and Oversight Committee - RECOMMENDED

February 02, 2021 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

February 09, 2021 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 201313

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 2/9/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

2.19.21

Date Approved