

1 [Settlement of Lawsuit - Plaintiffs Robert Burchell, et al. - \$100,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Robert Burchell, F/V**
4 **Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris**
5 **Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr.,**
6 **Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC**
7 **Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande,**
8 **Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr against the**
9 **City and County of San Francisco for \$100,000; the lawsuit was filed on December 28,**
10 **2022, in San Francisco Superior Court, Case No. CGC-20-588665; entitled Robert**
11 **Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken**
12 **Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew**
13 **Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick**
14 **Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo**
15 **Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr v.**
16 **City and County of San Francisco; the lawsuit involves a fire on Pier 45 that destroyed**
17 **Shed C.**

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

20 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
21 authorizes the City Attorney to settle the action entitled Robert Burchell, et al. v. City and
22 County of San Francisco, San Francisco Superior Court, Case No. CGC-20-588665 by the
23 payment of \$100,000. The lawsuit involves a fire on Pier 45 that destroyed Shed C.
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1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 December 28, 2022, and the following parties were named in the lawsuit: Plaintiffs: Robert
3 Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken
4 Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew
5 Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick
6 Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo
7 Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr.
8 Defendant: City and County of San Francisco.

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APPROVED AS TO FORM AND
RECOMMENDED:

DAVID CHIU
City Attorney

/s/ Meredith B. Osborn
MEREDITH B. OSBORN
Chief Trial Deputy

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield
BEN ROSENFELD
Controller

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RECOMMENDED:

PORT OF SAN FRANCISCO

/s/
ELAINE FORBES
Executive Director

APPROVED:

/s/
JENICA LIU
Secretary, Port Commission



City and County of San Francisco
Tails
Ordinance

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

File Number: 230246

Date Passed: May 09, 2023

Ordinance authorizing settlement of the lawsuit filed by Plaintiffs Robert Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 28, 2022, in San Francisco Superior Court, Case No. CGC-20-588665; entitled Robert Burchell, F/V Rose Marie, Inc., Erik Anfinson, John Barnett, Sarah Bates, F/V AL-W, Ken Burns, Chris Cameron, MJ Fisheries, Inc., Mike Costello, Andrew Evanow Jr., Andrew Evanow Sr., Michael Fontes, Chris Fox, Mike Harvie, Sean Hodges, David Kemp, Nick Krieger, WAC Fisheries, Inc., Philip Lafata, Daniel Lazzari, Patrick Lazzari, Benedetto Lo Grande, Chuck Louie, John Mellor, Savior Papetti, Mark Schwarz, and Shane Wehr v. City and County of San Francisco; the lawsuit involves a fire on Pier 45 that destroyed Shed C.

April 20, 2023 Government Audit and Oversight Committee - RECOMMENDED

May 02, 2023 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

May 09, 2023 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Safai, Stefani and Walton
Excused: 1 - Ronen

File No. 230246

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/9/2023 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

5/19/23

Date Approved