

1 [Settlement of Lawsuits - Square, Inc. - \$2,625,000]

2
3 **Ordinance authorizing settlement of the lawsuits filed by Square, Inc. against the City**
4 **and County of San Francisco for \$2,625,000; the lawsuits were filed on**
5 **September 6, 2019, and August 18, 2020, in San Francisco County Superior Court,**
6 **Case Nos. CGC-19-579061 and CGC-20-586039; both entitled Square, Inc. v. City and**
7 **County of San Francisco et al.; the lawsuits both involve claims for a refund of gross**
8 **receipts taxes; other material terms of the settlement are the agreement that**
9 **Square, Inc. and its related entities will not take certain filing positions with respect to**
10 **their gross receipts taxes for tax years 2019 and 2020.**

11
12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the actions entitled Square, Inc. v. City and County of
15 San Francisco et al., San Francisco County Superior Court, Case Nos. CGC-19-579061 and
16 CGC-20-586039, by the payment of \$2,625,000 to Square, Inc. and the agreement that
17 Square, Inc. and its related entities will not take certain filing positions with respect to their
18 gross receipts taxes for tax years 2019 and 2020. The lawsuit involves a refund of gross
19 receipts taxes paid by Square, Inc. to the City and County of San Francisco.

20 Section 2. The above-named actions were filed in San Francisco County Superior
21 Court on September 6, 2019, and August 18, 2020, and the following parties were named in
22 both lawsuits: Plaintiff Square, Inc. and Defendants City and County of San Francisco and
23 José Cisneros, Treasurer and Tax Collector of the City and County of San Francisco.

1 APPROVED AS TO FORM AND
RECOMMENDED:

RECOMMENDED:

2 DENNIS J. HERRERA
3 City Attorney

OFFICE OF THE TREASURER AND TAX
COLLECTOR

4 /s/ Scott M. Reiber
5 SCOTT M. REIBER
6 Chief Tax Attorney

/s/
7 JOSÉ CISNEROS
8 Treasurer

9 FUNDS AVAILABLE:

10 /s/ Michelle Allersma for Ben Rosenfield
11 BEN ROSENFELD
12 Controller

13 n:\taxlit\li2020\200241\01523459.docx



City and County of San Francisco

Tails Ordinance

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

File Number: 210557

Date Passed: July 20, 2021

Ordinance authorizing settlement of the lawsuits filed by Square, Inc. against the City and County of San Francisco for \$2,625,000; the lawsuits were filed on September 6, 2019, and August 18, 2020, in San Francisco County Superior Court, Case Nos. CGC-19-579061 and CGC-20-586039; both entitled Square, Inc. v. City and County of San Francisco et al.; the lawsuits both involve claims for a refund of gross receipts taxes; other material terms of the settlement are the agreement that Square, Inc. and its related entities will not take certain filing positions with respect to their gross receipts taxes for tax years 2019 and 2020.

July 01, 2021 Government Audit and Oversight Committee - RECOMMENDED

July 13, 2021 Board of Supervisors - PASSED ON FIRST READING

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

July 20, 2021 Board of Supervisors - FINALLY PASSED

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

File No. 210557

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
7/20/2021 by the Board of Supervisors of
the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

7/30/2021

Date Approved