

1 [Settlement of Lawsuit - Kevin Castain and Melina Castain - \$850,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Kevin Castain and Melina**
4 **Castain against the City and County of San Francisco for \$850,000; the lawsuit was**
5 **filed on November 17, 2015, in San Francisco Superior Court, Case No. CGC-15-549024;**
6 **entitled Kevin Castain and Melina Castain v. City and County of San Francisco,**
7 **Department of Public Works, et al.; the lawsuit involves alleged personal injury from**
8 **tree limbs.**

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

11 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
12 authorizes the City Attorney to settle the action entitled Kevin Castain and Melina Castain v.
13 City and County of San Francisco, Department of Public Works, et al., San Francisco Superior
14 Court, Case No. CGC-15-549024 by the payment of \$850,000. The lawsuit involves alleged
15 personal injury from tree limbs.

16 Section 2. The above-named action was filed in San Francisco Superior Court on
17 November 17, 2015, and the following parties were named in the lawsuit: Kevin Castain and
18 Melina Castain, Plaintiffs; City and County of San Francisco, Department of Public Works,
19 Defendants.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



CHERYL ADAMS
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS



MOHAMMED NURU
Director

FUNDS AVAILABLE:



BEN ROSENFELD
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: 180595

Date Passed: July 10, 2018

Ordinance authorizing settlement of the lawsuit filed by Kevin Castain and Melina Castain against the City and County of San Francisco for \$850,000; the lawsuit was filed on November 17, 2015, in San Francisco Superior Court, Case No. CGC-15-549024; entitled Kevin Castain and Melina Castain v. City and County of San Francisco, Department of Public Works, et al.; the lawsuit involves alleged personal injury from tree limbs.

June 20, 2018 Government Audit and Oversight Committee - RECOMMENDED

June 26, 2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

July 10, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Cohen, Breed, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180595

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/10/2018 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Handwritten signature of London N. Breed
London N. Breed
Mayor

Handwritten date 7/17/18
Date Approved