

1 [Settlement of Lawsuit - AT&T Corp. - \$498,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by AT&T Corp. against the City**
4 **and County of San Francisco for \$498,000; the lawsuit was filed on October 26, 2016, in**
5 **San Francisco Superior Court, Case No. CGC-16-555047; entitled AT&T Corp. v. City of**
6 **San Francisco, Department of Public Health; the lawsuit involves a breach of contract**
7 **claim arising from a dispute over AT&T's design of a medical grade wireless network at**
8 **Zuckerberg San Francisco General Hospital; other material terms of the settlement are**
9 **that the City reserves all rights to pursue claims against AT&T for, and AT&T shall**
10 **retain responsibility for, latent defects; all extant express and implied warranties under**
11 **the contract shall remain in full force and effect; the City and AT&T will execute a**
12 **mutual release; the City and AT&T will each bear its own fees and costs.**

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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 action entitled *AT&T Corp. v. City of San Francisco,*
17 *Department of Public Health,* San Francisco Superior Court, Case No. CGC-16-555047 by the
18 payment of \$498,000; the City reserves all rights to pursue claims against AT&T for, and
19 AT&T shall retain responsibility for, latent defects; all extant express and implied warranties
20 under the contract shall remain in full force and effect; the City and AT&T will execute a
21 mutual release; the City and AT&T will each bear its own fees and costs. The lawsuit involves
22 a dispute over AT&T's design of a medical grade wireless network at Zuckerberg San
23 Francisco General Hospital.

1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 October 26, 2016, and the following parties were named in the lawsuit: Plaintiff AT&T Corp.
3 and Defendant City and County of San Francisco.

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APPROVED AS TO FORM AND
RECOMMENDED:


DENNIS J. HERRERA
City Attorney



JULIE VAN NOSTERN
Chief Attorney, Health and Human Services

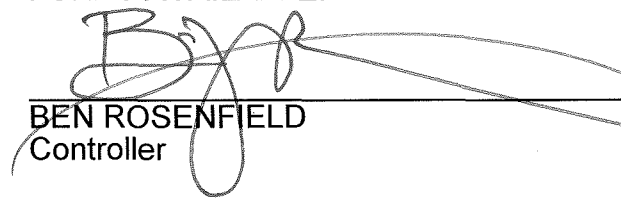
RECOMMENDED:

SAN FRANCISCO DEPARTMENT OF
PUBLIC HEALTH



BARBARA A. GARCIA, MPA
Director of Health

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

APPROVED:



MARK MOREWITZ
Commission Secretary

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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: 171076

Date Passed: November 28, 2017

Ordinance authorizing settlement of the lawsuit filed by AT&T Corp. against the City and County of San Francisco for \$498,000; the lawsuit was filed on October 26, 2016, in San Francisco Superior Court, Case No. CGC-16-555047; entitled AT&T Corp. v. City of San Francisco, Department of Public Health; the lawsuit involves a breach of contract claim arising from a dispute over AT&T's design of a medical grade wireless network at Zuckerberg San Francisco General Hospital; other material terms of the settlement are that the City reserves all rights to pursue claims against AT&T for, and AT&T shall retain responsibility for, latent defects; all extant express and implied warranties under the contract shall remain in full force and effect; the City and AT&T will execute a mutual release; the City and AT&T will each bear its own fees and costs.

November 01, 2017 Government Audit and Oversight Committee - RECOMMENDED

November 14, 2017 Board of Supervisors - PASSED ON FIRST READING


Ayes: 9 - Breed, Cohen, Farrell, Fewer, Peskin, Ronen, Safai, Sheehy and Yee
Absent: 2 - Kim and Tang

November 28, 2017 Board of Supervisors - FINALLY PASSED

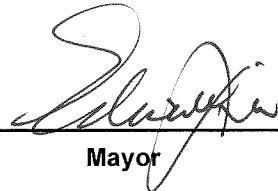
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 171076

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/28/2017 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor

12/8/2017

Date Approved