

1 [Agreement For Tolling of Statute of Limitations Governing Claim]

2 **Resolution approving the City Attorney’s entry into a tolling agreement governing**
3 **claim by USDA Forest Service filed February 2, 2005 arising from Stanislaus National**
4 **Forest fire of August 9, 2004.**

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6 WHEREAS, claimant USDA Forest Service has filed a Government Tort Claim against
7 the City and County of San Francisco; and

8 WHEREAS, claimant and the City now wish to extend the time to investigate and
9 negotiate possible settlement of this claim; and

10 WHEREAS, the City Attorney of the City and County of San Francisco has
11 recommended that the City enter into an agreement by which the statute of limitations
12 governing plaintiff's claims against the City and County of San Francisco would be tolled
13 indefinitely. This agreement may be terminated by City at any time or by claimant by giving
14 45 days written notice to City. As consideration for the tolling agreement, City agrees to waive
15 and will not plead any statute of limitations, laches or other similar defenses to any civil
16 causes of action arising out of the incident in question, except for those defenses in existence
17 on May 26, 2005.

18 RESOLVED, that pursuant to Section 10.22 of the San Francisco Administrative Code,
19 the tolling agreement is hereby approved.

20 APPROVED AS TO FORM AND
21 RECOMMENDED:

22 DENNIS J. HERRERA
23 City Attorney

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25 ELLEN SHAPIRO for JOANNE HOEPER
Chief Trial Deputy

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