

1 [Settlement of Lawsuit - Cynthia Spears - \$137,500]

2

3 **Ordinance authorizing settlement of the lawsuit filed by Cynthia Spears against the City**
4 **and County of San Francisco for \$137,500; the lawsuit was filed on May 5, 2020, in San**
5 **Francisco Superior Court, Case No. CGC-20-584349; entitled Cynthia Spears v. City and**
6 **County of San Francisco, et al.; the lawsuit involves an alleged personal injury on a**
7 **City sidewalk tree basin.**

8

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

10 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
11 authorizes the City Attorney to settle the action entitled Cynthia Spears v. City and County of
12 San Francisco, et al., San Francisco Superior Court, Case No. CGC-20-584349 by the
13 payment of \$137,500. The lawsuit involves an alleged personal injury on a City sidewalk tree
14 basin.

15 Section 2. The above-named action was filed in San Francisco Superior Court on May
16 5, 2020, and the following parties were named in the lawsuit: Plaintiff Cynthia Spears;
17 Defendants City and County of San Francisco and Avalonbay Communities, Inc.

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

/s/ Meredith Osborn
MEREDITH OSBORN
Chief Trial Deputy

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield
BEN ROSENFELD
Controller

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

/s/
ALARIC DEGRAFINRIED
Interim Director

n:\lit\li2021\210034\01534118.docx