

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

Settlement of Lawsuit

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,857.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment.

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

Section 1. The City Attorney is hereby authorized to settle the action entitled "Torey Dylan Lovett v. City and County of San Francisco, et al.", San Francisco Superior Court, Case No. 315861, by payment of \$1,215,857.42. The sum shall be allocated as follows: a) \$57,920.05 paid directly to Lovett; b) \$250,000 paid to NABCO Assignments, Ltd. to fund the purchase of an annuity for the benefit of Lovett; c) \$657,937.37 paid directly to Anton for attorney's fees and costs; and d) \$250,000 paid to NABCO Assignments, Ltd. to fund the purchase of an annuity for the benefit of Anton.

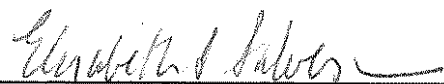
Section 2. The City Attorney is authorized to enter into a Non-Qualified Assignment Agreement with NABCO Assignments, Ltd. whereby NABCO will purchase the annuities described in Section 1(b) and 1(d) and assume all obligations and liabilities related to periodic payments to Lovett and Anton.

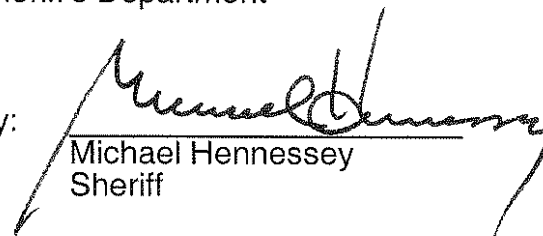
///  
///  
///  
///

1 Section 3. The above-named action was filed in San Francisco Superior Court on  
2 October 12, 2000, Case No. 415266. The following parties were named in the lawsuit: City  
3 and County of San Francisco and Sheriff's Department, defendants.

4 APPROVED AS TO FORM:  
5 DENNIS J. HERRERA, City Attorney

RECOMMENDED:  
6 Sheriff's Department

7 By:   
8 ELIZABETH S. SALVESON  
9 Chief Labor Attorney

By:   
Michael Hennessey  
Sheriff

FUNDS AVAILABLE:  
Office of the Controller

10  
11 By:   
12 EDWARD HARRINGTON  
13 Controller

14 Index Code: 975021  
15 Subobject: 053XX *to 5/19/05*



# City and County of San Francisco

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

## Tails Ordinance

**File Number:** 050902

**Date Passed:**

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment.

June 21, 2005 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick,  
Mirkarimi, Peskin, Sandoval  
Excused: 1 - Maxwell

June 28, 2005 Board of Supervisors — FINALLY PASSED

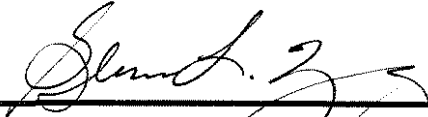
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,  
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050902

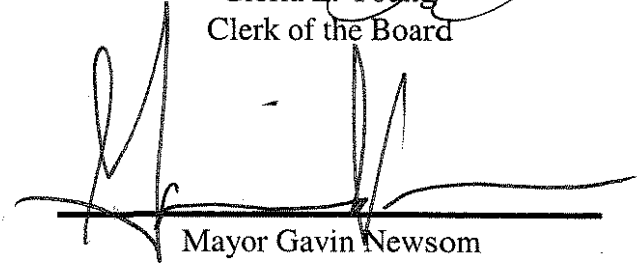
I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on June 28, 2005 by  
the Board of Supervisors of the City and  
County of San Francisco.

JUN 30 2005

\_\_\_\_\_  
Date Approved



\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board



\_\_\_\_\_  
Mayor Gavin Newsom