

1 [Partial Settlement of Lawsuit - Ho Tan and Lionel Tan - \$245,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Ho Tan and Lionel Tan against**  
4 **the City and County of San Francisco for \$245,000; the lawsuit was filed on**  
5 **August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled**  
6 **David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse**  
7 **condemnation arising out of flooding damage during major rainstorms; as it relates**  
8 **only to property loss of plaintiffs Ho Tan and Lionel Tan, by the payment of \$245,000**  
9 **and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real**  
10 **property and the claim by plaintiffs for attorney's fees, costs and interest, which will be**  
11 **addressed in later proceedings.**

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

14 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action entitled David Alfaro, et al. v. City and County  
16 of San Francisco, San Francisco Superior Court, Case No. CGC-15-547492 by the payment  
17 of \$245,000. The lawsuit involves inverse condemnation arising out of flooding damage  
18 during major rainstorms.

19 Section 2. The above-named action was filed in San Francisco Superior Court on  
20 August 20, 2015. This is an action brought by owners or occupants of several dozen  
21 properties located in San Francisco against defendant City and County of San Francisco.

22 Section 3. This is a partial settlement of the action. It resolves the personal and real  
23 property claims of plaintiffs Ho Tan and Lionel Tan. The parties will subsequently and  
24 separately address the personal and real property claims of other plaintiffs to the action, all  
25 claims of diminution of property value, and all claims for statutory attorney's fees.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

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CHERYL ADAMS  
Chief Trial Deputy

FUNDS AVAILABLE:

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BEN ROSENFELD  
Controller

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RECOMMENDED:

PUBLIC UTILITIES COMMISSION

\_\_\_\_\_  
HARLAN L. KELLY, JR.  
General Manager

APPROVED:

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DONNA HOOD  
Secretary, Public Utilities Commission